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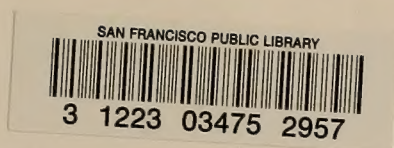
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JUL 16 1982

DOCUMENTS DEPARTMENT













7 JANUARY 1981

REGULAR MEETING

*Minutes*  
The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 7, 1981 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

DOCUMENTS DEPT.

Commissioner Sanchez presiding.

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The Commissioners, having received, amended and returned copies of the minutes of the meetings of October 28, 1980, October 29, 1980, November 5, 1980 and November 12, 1980, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECOMMENDATION OF THE TRAFFIC BUREAU-APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

150 UNION STREET - THE ICE HOUSE

- a) At 150 Union Street, install a 74' white zone, extending from east building line 74' west of same.
- b) Eight 15 minute parking meters to be removed.

2560 GEARY - KAISER PERMANENTE MEDICAL CENTER

- a) At 2560 Geary, install a 44' green zone, extending from east building line 44' west of same.

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1981



2949 POLK STREET - GALILEO HIGH SCHOOL

- a) At 2949 Polk Street, install a 68' white zone, extending from 57' to 125' south of north property line.

894 FOLSOM STREET - S.F.P.D. - REVOKED

- a) At 894 Folsom Street, revoke existing 29' yellow zone, extending from 14' west to 15' east of the west building line.

2919 MISSION STREET - H.F. SUHR COMPANY-REVOKED

- a) At 2919 Mission Street, revoke existing 67' white zone, extending from 16' to 128' south of 25th Street.

401 GUERRERO STREET - S.F.P.D. - REVOKED

- a) At 401 Guerrero Street, revoke existing 40' green zone, extending from 10' to 50' south of 16th Street.

894 FOLSOM STREET - PHILIP MAYER COMPANY - REVOKED

- a) At 894 Folsom Street, revoke existing 18' green zone, extending from 18' east of the east line of 894.

106 GRANT AVENUE - S.F.P.D. - REVOKED

- a) At 106 Grant Avenue, revoke existing 40' white zone, extending from 34' to 74' north of Geary.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 262 feet of white, yellow and green zones, at the





parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 3-81

JAMES BONNINGTON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James Bonnington against the City and County of San Francisco in the sum of \$45.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 5, 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 4-81

PAUL G. DRIES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paul G. Dries against the City and County of San Francisco in the sum of \$40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 10, 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 5-81

MICHELLE HENSLEY

RESOLVED, that the recommendation of





the City Attorney for settlement of the claim of Michelle Hensley against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 2, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 6-81

JOHN B. LAFATA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John B. LaFata against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 10, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 7-81

CLAUDIA MONTGOMERY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Claudia Montgomery against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 12, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 8-81

NANSI WEIL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nansi Weil against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 7, 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 9-81

DENNIS WHITLEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dennis Whitley against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 13, 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 10-81

HARDY WONSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Hardy Wonson against the City and County of San Francisco in the sum of \$40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 3, 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez





RESOLUTION NO. 11-81

AL MC LENNAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Al McLennan against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 2, 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 12-81

COURTESY TOW SERVICE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Courtesy Tow Service against the City and County of San Francisco in the sum of \$240.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 26, 1980 through November 14, 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 13-81

POWELL GARAGE NO. 1

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Powell Garage No. 1, against the City and County of San Francisco in the sum of \$290.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 31, 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez





RESOLUTION NO. 14-81

BONNIE TURNIPSEED

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bonnie Turnipseed against the City and County of San Francisco in the sum of \$1,500.00 in Municipal Court Action No. 775-224 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 6, 1978

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 15-81

AUTHORIZING ATTENDANCE OF COMMANDER GERALD D'ARCY, TRAFFIC DIVISION, AND POLICE OFFICER HENRY FRIEDLANDER, PUBLIC INFORMATION OFFICE, AT A DRUNK DRIVING WORKSHOP SPONSORED BY THE NATIONAL HIGHWAY TRAFFIC SURVEY ADMINISTRATION AND THE NATIONAL SAFETY COUNCIL, AT SACRAMENTO, CALIFORNIA, FROM JANUARY 26, 1981 TO JANUARY 28, 1981.

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RESOLVED, that the recommendation of the Chief of Police that Commander Gerald D'Arcy and Police Officer Henry Friedlander, be detailed to attend a Drunk Driving Workshop sponsored by the National Highway Traffic Survey Administration and the National Safety Council, at Sacramento, California, from January 26, 1981 to January 28, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that all expenses for travel and subsistence will be paid by the National Safety Council.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 16-81

AUTHORIZING ATTENDANCE OF LIEUTENANT RICHARD D. KLAPP, AND SERGEANT MICHAEL S. HEBEL, POLICE



ACADEMY, AT A BASIC COURSE REVISION CONSORTIUM  
WORKSHOP, AT SACRAMENTO, CALIFORNIA, FROM  
JANUARY 15, 1981 TO JANUARY 16, 1981

RESOLVED, that the recommendation  
of the Chief of Police that Lieutenant Richard  
D. Klapp and Sergeant Michael S. Hebel, Police  
Academy, be detailed to attend a Basic Course  
Revision Consortium Workshop, at Sacramento,  
California, from January 15, 1981 to January  
16, 1981, be, and the same is hereby approved;  
and be it further

RESOLVED, that all expenses for travel  
and subsistence will be directly reimbursed to  
Lieutenant Klapp and Sergeant Hebel by P.O.S.T.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 17-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense  
Vouchers submitted by the following-named mem-  
bers of the Police Department for expenses in-  
curred in attending the below-indicated program,  
be, and the same are hereby approved:

Lieutenant Walter Garry	)	\$674.00	(P.O.S.T. Mid-
Planning & Research	)	each	(dle Management
	)		(Course, San Diego,
Lieutenant Ronald Jackson)			(California, from
Field Operations-Patrol	)		(December 1, 1980
Division	)		(to December 12,
	)		(1980.
Lieutenant Vernon Smith	)		
Field Operations-Patrol	)		
Division	)		

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 18-81

TRAVELING EXPENSE VOUCHER-APPROVED

RESOLVED, that the Traveling Expense  
Voucher submitted by the following-named member





of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant George Kowalski)	\$500.00	(Federal Bureau
Investigations Division)		(of Investigations
		(National Academy,
		(Quantico, Virginia,
		(from September 28,
		(1980 to December
		(13, 1980.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

POLICE COMMISSION REPORT

Commissioner Sanchez: "I would like to request from Commissioner Murphy if she would give us a brief summation of the meeting, I believe held today, pertaining to the Department's limited disability in a meeting, I guess, requested by the Retirement Board and the Fire Commission, etcetera. Commissioner Murphy?"

Commissioner Murphy: "Well, I would be glad to do that, but first, there are a number of taxi people here concerned with the problem of one of the Cab Companies, Veterans, I'd like to hear from them first. I believe the problem is that a man died who owns 6 permits. And under the Charter they have to return those to the City. This is going to put 16 men out of employment, maybe even more. I would like to hear from representatives of the Cab Industry as to how this is effecting them, and if they have any proposal that might be useful in maintaining these permits and having them on the street, and then I will be glad to go into the other matter."

Commissioner Sanchez: "Fine. I would certainly grant that, and also state that I feel that under the Police Commission Report this matter should properly be discussed under this area because I think the Commission itself has to discuss publicly here if, in fact, in the future or not too distant future, if we are going to have Public Necessity Hearings and what the statuses are pertaining to how many permits are no longer valid, are we down some, are all in compliance with the Chief's regulations? I understand too that Commissioner Murphy also requested the new criteria which was established by the Airport Commission, which I think we have just gotten ahold of tonight, and I think the Staff will have to review this and in this way we can sort of have some comprehensive





discussion on this. So I think this is the proper time and definitely the proper agenda item to bring it up as far as the Commission. So, Commissioner Murphy, if you would like to proceed, if you have speakers?"

Commissioner Murphy: "Yes, I would like to ask whoever is going to present the material to identify yourself."

John Gregory, Attorney for Veterans Cab: "We discovered the death of Mr. Land on Monday, and we certainly appreciate the opportunity to bring this matter to your attention on such very short notice. Commissioner Murphy has outlined the essence of the problem which is that, 6 of Veterans 89 cabs were operated under permits owned by Mr. Charles Land who died, I believe, on the 22nd of December, the effect of that under Proposition K, which to be somewhat charitable, is not the clearest of statutes, appears to be that the use of the permit reverts back to the City which is declared in the opening paragraph of the statute to be the owners of all of these permits. Now the question has been raised as to whether the 6 cabs that were operated under these permits may continue to be operated and, specifically, the question is whether in the short interim, what we hope to be a very short interim of time, between the death of Mr. Land and the time the Commission can act on the various applications pending before it whether, in fact, these 6 cabs have to be taken off the street and 18 drivers put out of work and the service to the community, to that extent, diminished. The problem, from a legal standpoint, as we see it, is whether, in effect, an interim permission by the City to allow Veterans Cab to operate these cabs under the City's permits because they are owned by the City as declared in Proposition K, whether that can be effected on a strictly interim basis consistent with the provisions of Proposition K. I think it's useful, members of the Commission, to consider some of the broad purposes of that statute, they have to include, as I read it, maintaining and, hopefully, improving the quality of taxicab service to the people of the City and County. Perhaps, secondarily I think, another purpose of that statute has to be to at least maintain and, hopefully, improve employment opportunity in the taxi cab business for individuals. However, if the permits are regarded in some sense now as invalid such as it is unlawful for these cabs to be operated on the street, the practical effect will be that the level of cab service to the people of the city will be diminished to the tune of 6 vehicles for however long it takes, we hope it's a very short time, for the process of reviewing the various applications to be completed. In addition, I believe the figure is 18 drivers, who will have to be laid off. We



just don't think that is consistent with the purpose of the statute and what we are asking on a very interim basis is for Veterans to be allowed to operate these cabs with the permission of the City, in effect, renting or leasing, if you will, the City's permits."

Commissioner Murphy: "Excuse me, are you suggesting that Veterans Cab would pay, say what you paid the owner of the permits, \$300.00 per month or something like that?"

John Gregory, Attorney: "Per permit, absolutely."

Commissioner Murphy: "That's an interesting proposal."

John Gregory, Attorney: "That would be 1800 dollars a month. As we see it this is a solution to a problem that in which we don't see how anybody loses because the city will be receiving some income, it's not a king's ransom, but it's something. The drivers will stay on the job. The level of service, particularly out in the avenues, as a practical matter, since these are radio dispatched cabs, I mean the impact, whatever it is, will be most felt there. The level of service to the community will stay the same and we will simply maintain the status quo. On the other hand, if a more rigid approach is taken and the cabs are simply, because of the unforeseen death of this man, is taken off the street, nobody wins and everybody suffers a detriment to some extent. That, in essence, is our position. I want to emphasize that this would not prejudice anybody's rights in that all applicants for reissuance of these permits would be publicly and fairly heard on the merits. We just think that the sensible thing is not to allow the unfortunate death of Mr. Land to put a not insignificant number of people out of work for an undetermined time and decrease the level of service to the community over this period that it will take this Commission to act on the pending applications."

Commissioner Murphy: "Thank you for the presentation. I think we should hear from Officer Suslow."

Commissioner Sanchez: "The Chief also wanted to respond."

Commissioner Murphy: "Oh, excuse me, I'm sorry."





Officer Suslow: "Commissioners, I am Officer Suslow, Permit Section. The information presented by the attorney is material that should be presented at a Public Convenience and Necessity Hearing. Another point that I would like to bring up is that natural persons only are allowed to hold Proposition K permits. So I don't believe that the City owns any permits. There are numerous other individuals that have filed applications for Public Convenience and Necessity and there is also a large turnover in the number of drivers that apply weekly. In regards to Mr. William Land, the permit holder at Veteran Cabs, I called to Veterans to notify them that I had learned that Mr. Land had died and that the permits had to be surrendered to the City. That's the opinion of the City Attorney in that these are personal rights..er.. personal privileges, excuse me, not property rights and when the individual dies the permits revert back to the City."

Commissioner Murphy: "Yes, well we know that, that is the basis of Proposition K, but what about this concept of being paid to do it, during the interim period, of the city getting money that would have gone to Mr. Land for the operation of the permit until Public Convenience and Necessity Hearings are held?"

Officer Suslow: "Commissioner, I am not an attorney, and I don't know whether or not... that's something the City..."

Commissioner Murphy: "That is somewhat of a new concept, at least I haven't thought of it or heard of it before."

Officer Suslow: "Yes, the City though does not own permits so they could not allow permits to be operated."

Commissioner Murphy: "Who does own them?"

Officer Suslow: "There are no permits that are owned by the City, they are currently held by numerous permit holders. New permits could be issued by the Police Commission if persons prove Public Convenience and Necessity to you."

Commissioner Murphy: "Yes, but when a permit is returned back to you....we've gotten lots of permits haven't we...received permits from people who have died or....?"





Officer Suslow: "The number was 711, we are down to 698. That's not counting the 6 of Mr. Land."

Commissioner Murphy: "698 that were turned in."

Officer Suslow: "No, no 698 that are still outstanding, if you subtract the 6 of Mr. Land that would be 692."

Commissioner Murphy: "So we are down quite a few, in other words, they have returned. Permits have been turned back to the Department."

Officer Suslow: "19 permits have been surrendered to the City."

Commissioner Sanchez: "I would like to ask you a question Officer Suslow if I might, the number 711 was that as of what date for number of permits out?"

Officer Suslow: "That number would go back to sometime before Proposition K, the exact date I can't be sure."

Commissioner Sanchez: "Okay, the second question I have is, procedurally, if in fact, there is a death in the family and that family owns a permit, okay? What is the normal procedure the Department has operated under since Proposition K has come into effect?"

Officer Suslow: "If the permit was held by a single person, natural person, we have notified the family or the cab companies if the permits had to be surrendered to the City. We haven't taken any action on the permits that are held in joint tenancy or permits that are held by corporations because we are waiting a legal opinion from the City Attorney."

Commissioner Sanchez: "Okay, so the questions I guess which would follow this is, once a company is notified, or family is notified, or whom-ever owns a permit, do we have like a working timeline or a specific date in which either the person, corporation, or whatever, has to comply in order to turn in the permit? I mean is it automatically 72 hours, or is it 24 hours, or is it two weeks, or is it 30 days, or is there a period whereby they could get a legal interpretation, or what is the normal operation as far as to the Department over the past year so



that this way we are consistent with that process?"

Officer Suslow: "The Police Department has asked that the permits be surrendered immediately. Upon the death of the permit holder the permit becomes void. Therefore, any operation would be an operation without a permit which is a violation of the law."

Commissioner Sanchez: "Okay, one other question and then I think some of my colleagues, and I think the Chief wishes to respond. Have we ever had a death whereby there were more than 5 permits out? As an example, this issue right now pertains to 6 permits which has a multiple effect because we are talking about 18 jobs, perhaps, being lost. I think this is a concern that was raised by Commissioner Murphy. Or has our top number been three or four permits, 2 or what? Do you have any data to show?"

Officer Suslow: "A Mr. Charles Long held 5 permits and his...we called and asked that the permits be surrendered. His wife, through an attorney, filed suit against the City and the City won the suit I guess you would say, inasmuch as the courts ruled that the permits were void and that they were personal privileges extended to Charles Long only and they were not community property rights giving any rights to Mr. Long's widow."

Commissioner Murphy: "And they had not been held in joint tenancy through an action of this Commission?"

Officer Suslow: "No, those permits were not, they were held in Mr. Long's name only."

Commissioner Sanchez: "Commissioner Daly? Or Chief?"

Commissioner Daly: "Maybe he'll (Chief) answer all of my questions. If this permit had been a permit that was held by a corporation, or in joint tenancy, what would the outcome of the death be in regard to the permit?"

Officer Suslow: "The Permit Section has not taken any action on those other than to notify the City Attorney and await an opinion from them as to what action we should take."





Commissioner Daly: "So in those cases the cabs stay on the streets and the drivers keep their jobs, is that the truth?"

Officer Suslow: "Yes."

Commissioner Daly: "Now a corporation is a body, but it is not a living person, is that sort of a fair legal evaluation of what a corporation can be? In other words, a corporation isn't suffering if somebody dies whereas a family member and all of the people who are related to that by way of employment do suffer, am I right?"

Officer Suslow: "I don't believe that is something that I determine, it is something that...."

Commissioner Daly: "Well, I am not saying that you determine that but am I viewing this in a context that is plausible?"

Officer Suslow: "I don't understand the question Commissioner."

Commissioner Daly: "Well, what I am getting at is we don't know now whether it is possible under this little bug called K. We don't know whether it's possible that the City could, for a short period of time, be a body defined such as a corporation is defined in order to maintain a continuance of service to the city, employment to the people who are involved, in other words, instead of a cut-off period, i.e., well we are real sorry, Mr. Jones just died and therefore all of this is just not going to be continued. Had Mr. Jones been part of a corporation, or part of another legal body that finishing line wouldn't come down, or we wouldn't be here. So what I may be asking for is that we... I will ask you that what the legal ramifications would be to put this off long enough to investigate whether the city could be defined as a legal body that could allow the interim period of time to sort these things out, not have the city lose cab service, and you know, I have dealt with this on the Board of Permit Appeals before I came here so I have a vague understanding of this mess and not have people out of work, so my question is, do you think that that would be in order?"

Officer Suslow: "I believe that the Commission could ask the City Attorney to make a ruling on whether or not the City could issue those type of permits, but in regards to the continued operation of existing ones, I believe they would be in violation of the law."



Commissioner Sanchez: "Chief?"

Chief Murphy: "Are these all radio controlled cabs? I had to ask if these were all radio controlled cabs and the answer was yes, and my concern is, of course, if that over the last year, or year and a half probably, that there has been a diminution of radio controlled cabs and, thus, effecting the cab industry and the city's ability to respond to people in the outlying neighborhoods to provide that kind of service. And we are talking about one of the four major cab companies in San Francisco that are, in fact, providing radio cab service to the public, and I am just wondering at this point or, in fact, I will make a recommendation at this point, that there will be litigation on this matter in the future and I don't think it would be appropriate for us to revoke the permit now, rather I would suggest that we take it off calendar until the litigation is finally solved and thereby nobody would be financially harmed by the action."

Commissioner Murphy: "You took the words right out of my mouth."

Chief Murphy: "A motion would do it."

Commissioner Murphy: "Yes, I would like to make a motion to that effect."

Commissioner Sanchez: "That's a motion by Commissioner Murphy."

Commissioner Toler: "I will second it."

Commissioner Sanchez: "There is a second, any discussion by the Commission? All in favor say aye. Unanimous ayes."

Commissioner Sanchez: "Opposed? (No response) motion carries. Fine. Chief?"

Voice from the Audience: "May I say something on this?"

Commissioner Sanchez: "Pardon me? Would you like to come to the microphone and identify yourself for the record please?"





Bill Lazar: "My name is Bill Lazar of Luxor Cabs. I appreciate the Chief in what he has suggested but we all have lost permits. We have lost one in Luxor by death, Yellow has lost some and so has City Cab and DeSoto. We have turned our permits in, we turned them in as soon as our death came through, we turned them in. If it could be we would appreciate it to continue with this because if Commissioner Nelder recalls when the big Yellow folded back in 1976, he and Dianne Feinstein issued 100 temporary permits to the radio cab companies on a temporary basis until the cabs got out on the streets, and this would be a temporary permit where we could be using it to keeping the service as we want to work with the industry throughout our radio dispatched cabs, so we have....each of us have lost a cab. We have turned ours in. We've got one, and I think Yellow has two, and City has two, and DeSoto has two. So those are the permits we are talking about. They are already a dispatched cab and it would help us on a temporary measure to use these, and I know it was a proclamation by Mayor Moscone at that particular time to give us these temps through the efforts of Mr. Nelder and Dianne Feinstein who were both supervisors."

Commissioner Toler: "Mr. President, at present the 18 drivers, or men are out of work as a result of the surrendering of the permits. Are they working now, the 18 men?"

John Gregory, Attorney for Veterans Cab Company: "Yes, they are working now."

Chief Murphy: "I would suggest that Mr. Lazar bring those specific cases to us at another hearing and then calendar it and we can put it on the agenda."

Commissioner Murphy: "I don't think that the motion that I made, and it was seconded, negates that at all, in other words, I didn't intend it to. What I want to do is keep cabs on the street, and people employed, and a kind of a cab that you can get ahold of if you need them."

Chief Murphy: "I think the motion only addressed the Veterans Cabs that we were talking about."

Commissioner Murphy: "At this point, yes, it did because we didn't know."



Chief Murphy: "Any other separate issue should be brought before the Commission on a calendar basis."

Commissioner Sanchez: "So, therefore, the motion does pass, and if there is further discussion, the Chief and his staff will review with the radio communication, and the Permit Detail, any other recommendations that may be forthcoming."

Let me just say this too, it was my understanding that last....November or December, the Chief came out with a public statement whereby a number of the Taxicab units throughout the city were being utilized in crime prevention. We were having some of our undercover people ride shotgun with them in order to cut down on the amount of crime in high risk areas and, perhaps, at that time, or perhaps a couple weeks from now Chief, you might be able to give us a progress report of that to show if, in fact, if we are making any headway."

Chief Murphy: "I can give you that right now, and I want to make it clear that the donation of the use of the cabs by the cab companies has no bearing on my recommendation to you tonight."

Commissioner Sanchez: "No, no, I wasn't implying that."

Chief Murphy: "Somebody might get that inference. I had talked to three of the four major cab companies and through my own neglect I didn't talk to the fourth one, but on his own that person went out and did some study in the same line and what the cab companies are going to be doing, I believe we are going to be meeting with them in the next two weeks. They have volunteered to give us the use of and/or donate some cabs to the Police Department which would be operated by Operation S, and the obvious advantage to that is that the cabs are one of the most inconspicuous vehicles on the street, and this program is being used in New York quite successfully. They have been able to make a serious impact on on-view street crimes using the cab. So that's gone beyond the formative stage now, we will be having one more meeting with the representatives of the companies and then I would suspect within a month they will be in operation. As to the donation to the City, I don't know how that could be arranged, and if it's necessary, and if it isn't necessary, certainly a donation to the Friends of the Police Department. We are in the process of expanding the Mounted Unit so that would be a nice tax deductible item for the companies."





Commissioner Sanchez: "I would just like to add that I would like this recommendation of the December 16, 1980, Airport Commission Meeting be made a matter of record and referred to the Chief and his staff for review, and perhaps two weeks from now we could have a review of when, in fact, this Commission will, in fact, be setting Public Convenience and Necessity Hearings after we have a status report on the number of radio cabs, etcetera, etcetera. So this way we could clear the decks on that and proceed accordingly if, in fact, it is justified."

Commissioner Sanchez then asked Commissioner Murphy to give a summation of the joint meeting which was arranged by the Retirement Board between the members of the Police and Fire Commission and Retirement Board Members pertaining to disability applications of members of both departments.

Commissioner Murphy said the meeting was very interesting in that praises were issued by the Retirement Board to the Fire Department because of their newly instituted limited duty disability policy. She said they mentioned the fact that since a new Charter Amendment had been voted in allowing a Hearing Officer to reign over the Retirement Board Hearings, that they really needed some very clear cut guidelines to give to those Hearing Officers.

She said the Board also said that a letter dated May 14, 1980, from the Mayor, had been sent to both departments advising that the City could not afford to continue to retire personnel at the age of around 35 for a disability and continue it for the rest of those persons lives. She said it appeared that the feeling from the Retirement Board was that it is almost incumbent upon the respective Departments to keep such as young a member working in a limited duty capacity, which the Police Department's Policy would not permit. She said maybe the Department should take another look at this policy. She suggested also that the Department should provide the Board with a list somewhat similar to what the Fire Department had sent, naming the members in "light duty" positions.

Commissioner Sanchez thanked the Commissioner for an excellent report and acknowledged Police Officer Wilfred Battle's request to speak.

Officer Battle said that he was currently assigned to the Housing Authority for specifically directing an Anti-Crime Program. He said he was here today to formally invite the Commission, Chief and his staff to an open house that the San Francisco Housing Authority Commission is planning to take



place January 15, 1981, in the North Beach area. He then passed out background information material to the Commissioners and Chief.

Commissioner Sanchez then thanked Officer Battle and moved to item #6 on the calendar.

PRESENTATION OF CERTIFICATE OF APPRECIATION  
TO DR. MIMI H. SILBERT, TRAINING CONSULTANT.

Chief Murphy then read from an intra-departmental memorandum from Lieutenant Richard Klapp, the Department Training Officer, which stated, "I hereby request that a formal expression of appreciation and recognition for outstanding service to the San Francisco Police Department be awarded to Dr. Mimi H. Silbert, to appropriately acknowledge her contribution to our training program as Training Consultant for the past 4 years. During her tenure as our consultant she was instrumental in curriculum development and content validation for the Recruit, Advanced Officer and Supervisory Courses. She also maintained continuing evaluation of all subject matters and presentations thereof, recommending additions, revisions, or deletions as necessary. She completed several extensive surveys including those relating to Women in Policing, Job Stress, and Evaluation of Training which were recently presented to the Police Commission. In addition to the other activities described herein, Dr. Silbert has participated with our Staff in the POST Basic Course Revision Consortium which is comprised of the leading police educators and trainers in California and is responsible for the basic course performance objective curriculum which was mandated for all Academics on July 1, 1980. During her participation in the Consortium, Dr. Silbert earned state-wide recognition and acclaim for her expertise and performance phase training. Her productive efforts in this project projected a most positive image of our Department. Dr. Silbert has been an invaluable asset as our consultant contributing immensely to the excellence of our various training programs."

The Chief then said in that regard he would like to have the President of the Commission award this humble plaque to Dr. Silbert.

Commissioner Sanchez then made the presentation and said on behalf of the Police Commission they congratulate her for her outstanding contribution. He also said that in addition to that the Commission and Chief would like to congratulate her in reference to her national appointment as it





brings a great deal of distinction, creativity, and commitment to her contributions to equality in Law Enforcement and the pursuit of academic excellence. He said they were all very proud of her and wished her continued success.

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy said that he has a very brief report tonight and that he only wanted to mention one aspect of the non-profit corporation that was formed in the Department to expand the Mounted Unit and in that regard the Department has a \$5,000 donation from Mrs. Ann Getty to that particular non-profit group, Friends of the Police Department. That money he said, will be used to expand the Mounted Unit.

Commissioner Sanchez then said that he would like to see if, perhaps, this could also be included with item #9, which would be a request to accept a horse as Sergeant Kenny is here to possibly comment on this item.

#### REQUEST OF THE CHIEF OF POLICE FOR PERMISSION TO ACCEPT ON BEHALF OF THE POLICE DEPARTMENT THE GIFT OF A HORSE FOR THE MOUNTED UNIT.

Sergeant Kenny said he was here at the request of Deputy Chief Shannon to answer any questions the Commissioners may have in regard to this horse. He said he would respectfully request that the Commission accept the Chief's recommendation that the Commission accept this horse for the Department.

Commissioner Murphy then moved for acceptance.

#### RESOLUTION NO. 20-81

AUTHORIZING ACCEPTANCE BY THE SAN FRANCISCO POLICE DEPARTMENT OF A HORSE, VALUED AT \$800.00 FOR USE OF THE MOUNTED UNIT FROM MR. ROBERT HOPE, LA MESA DRIVE, MENLO PARK, CALIFORNIA.

WHEREAS, Mr. Robert Hope of Menlo Park, California, has expressed a desire to donate a horse to the San Francisco Police Department Mounted Unit; and



WHEREAS, this civic-minded gesture will provide needed assistance in the protection of life and property in the City of San Francisco; and

WHEREAS, Section 10.116 of the San Francisco Administrative Code allows for the acceptance of gifts by the department head of only those gifts to the City and County of San Francisco of a value of one thousand (\$1,000) dollars or less; and

WHEREAS, the generous gift from Mr. Hope will be of a value of approximately eight hundred (\$800) dollars; therefore be it

RESOLVED, this resolution hereby allows the Chief of Police to accept the donation of Mr. Hope, a horse with the value of approximately eight hundred (\$800) dollars for use by the San Francisco Police Department Mounted Unit.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE  
SAN FRANCISCO POLICE DEPARTMENT ADOPT A RECORD  
DESTRUCTION SCHEDULE

Mr. Jim Maas gave an overview and brief history of this proposal.

Commissioner Nelder, after listening to the presentation, commended Mr. Maas for a job well done. He said he would move approval of the resolution as he did not wish to hold it up having been advised by the Chief that the question he raised regarding the weapons index card would be looked into and whichever decision the Chief makes in that regard is okay with him.

Commissioner Daly seconded and it was unanimously approved.

RESOLUTION NO. 19-81

RECORDS DESTRUCTION SCHEDULE OF THE SAN FRANCISCO  
POLICE DEPARTMENT - APPROVED

WHEREAS, the accumulation of certain





Police Department records has become unduly burdensome; and

WHEREAS, the Administrative Code of the City and County of San Francisco authorizes the destruction of useless records under specified conditions; and

WHEREAS, the Chief of Police has devised a schedule, entitled, Record Destruction Schedule of the San Francisco Police Department, in conformance with those conditions; therefore be it

RESOLVED, that the Police Commission approves the Record Destruction Schedule of the San Francisco Police Department; and be it further

RESOLVED, that the Police Commission hereby requests the City Attorney to approve the Schedule and forward the attached draft resolution to the Board of Supervisors for their action.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECOMMENDATION OF THE CHIEF OF POLICE TO LET A CONTRACT TO MANAGEMENT ASSISTANCE CENTER FOR THE PURPOSE OF UPGRADING THE DOCUMENT CONVEYOR TO SERVE 911 RESPONSIBILITIES IN THE POLICE COMMUNICATIONS CENTER.

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Chief Shannon reported that this would be accomplished with money already in hand and it is just a requirement of the Controller so that the Department could make the purchase of the Conveyor Belt, which is one of the items necessary in the Department's implementation of 911.

RESOLUTION NO. 2-81

RECOMMENDATION OF THE CHIEF OF POLICE TO LET A CONTRACT TO MANAGEMENT ASSISTANCE CENTER FOR THE PURPOSE OF UPGRADING THE DOCUMENT CONVEYOR TO SERVE 911 RESPONSIBILITIES IN THE POLICE COMMUNICATIONS CENTER.

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RESOLVED, that the Police Commission



hereby approves the letting of a contract for \$26,380.00 to Management Assistance Center for the purpose of upgrading and modifying the document conveyor system to serve the 911 Emergency Telephone System responsibilities in the Police Communications Center.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 1-81

REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO PURCHASE TAPES FOR THE COMMUNICATIONS DIVISION

RESOLVED, that the Police Commission hereby approves the Supplemental Appropriation request to transfer \$60,146 from the Sworn Salary Account to the Communications Material Account.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

STATUS REPORT IN THE MATTER OF POLICE OFFICER ROBERT C. MULRY, SUPPORT SERVICES BUREAU-PROPERTY CONTROL DIVISION.

The Chief said that it appeared that the Department has found itself in a Catch 22 situation. He said, ideally, what the Department would like to have is full able bodied officers that can in any given situation go out and perform street duties and some of the jobs such as the one that Officer Mulry is doing at the present time, can, in fact, be accomplished by a light duty officer. He said in the event of an emergency, or a riot, or any kind of a situation where other officers must be drawn from support units, such as the Property Clerk's Office, ideally, it is desirous to have able bodied police officers. He said what he is perfectly willing to do at another Police Commission Meeting is to modify, or submit to the Commission, a modification stating that, this is in fact our position, however, at the present time, due to the critical shortage of police officers at this time, we could accommodate an officer such as Officer Mulry, but that when we do get up to full strength in the Department, at that time, then we are going to want full able bodied police officers. He said now if it takes a modification of this order to do that there might even be a simple modification of changing shall to may on the second page. We could do that and I would be perfectly happy to entertain that if





it is okay with the Commission.

He said the only thing he would like to have from Officer Mulry now is simply a statement from Dr. Steiner giving him, or denying him, a waiver to the semi-annual physical examination given at the Police Academy, and then we can go from there, whether he says yes or no it has nothing to do with his disability in terms of employment because of his disability, he shouldn't have to take it and if he doesn't have to take it I would still request that he remain at, or below the 218 lbs., but that he would be exempt from taking the other part of the physical examination.

Commissioner Murphy then moved that Dr. Steiner make such an evaluation of Officer Mulry's condition within 30 days.

It was then seconded by Commissioner Daly and unanimously approved.

RESOLUTION NO. 21-81

STATUS REPORT IN THE MATTER OF POLICE OFFICER  
ROBERT C. MULRY, SUPPORT SERVICES BUREAU-PROPERTY  
CONTROL DIVISION

WHEREAS, the status report in the matter of Police Officer Robert C. Mulry, Support Services Bureau-Property Control Division, was called, it having been set for the meeting of January 7, 1981; and

WHEREAS, Police Officer Robert C. Mulry appeared in person and was represented by Mr. Stephen Bruce Bley, and Sergeant Michael S. Hebel, Attorneys at Law; and

WHEREAS, the Police Commission acknowledges that Police Officer Robert C. Mulry has complied with its orders in Resolution Nos. 552-80 and 553-80, releasing Officer Mulry from any further penalties on charges filed in this particular incident for violation of Rule 2.36 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, it is recommended by the Commission that Officer Mulry should apply to Dr. Norman Steiner, the Police Surgeon, for a waiver excusing him from the required agility testing procedure; therefore be it



RESOLVED, that it is the order of the Police Commission that the disciplinary charges filed in this particular incident against Police Officer Robert C. Mulry, for violation of Rule 2.36 of the Rules and Procedures of the San Francisco Police Department which dictates that he must maintain the required weight for his height during his tenure in the San Francisco Police Department.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

HEARING OF GRIEVANCE NO.32-80 FILED BY POLICE OFFICER KARL KARLSSON, CENTRAL POLICE STATION

The hearing of the Grievance of Police Officer Karl Karlsson, Central Police Station, was called, it having been set for this date. Police Officer Karl Karlsson's Grievance No. 32-80 having been denied by the Chief of Police is as follows:

Grievant Karlsson was assigned to the Tactical Division, Canine Unit on July 21, 1980 after having remained on the transfer list for that unit since 1975. On September 9, 1980, Grievant reported for duty at 1900 hours and discovered on his own, that he was being transferred to Co. A effective 9/14/80 as per Personnel Order No. 37.

Grievant Karlsson was not informed either orally or in writing for the reason(s) for this arbitrary transfer as required by General Order P-1. It is Grievant's understanding that a lengthy memorandum submitted by his Commanding Officer, has been transmitted to the Chief outlining "various deficiencies" the Grievant has that necessitated the immediate transfer. Again, the provisions of P-1 were abrogated in that the grievant has not been afforded the opportunity to review this report and respond to the reason(s) that resulted in his transfer.

Officer Karlsson's suggested remedy to his Grievance is immediate transfer to the Tactical Division, Canine Unit.

Mr. Robert Barry, President, San Francisco Police Officers' Association, then made an





opening statement explaining why the matter was before the Commission, what it entailed, and the issue involved.

An opening statement was made by Chief of Police Cornelius P. Murphy, who appeared on behalf of the Police Department.

The following-named witness was called by Mr. Robert Barry, duly sworn and testified:

Mr. Richard Honey  
51738 Merridy Lane  
Occidental, California

A closing statement was then made by Cornelius P. Murphy, Chief of Police.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 22-81

DECISION - HEARING OF GRIEVANCE NO. 32-80 FILED BY POLICE OFFICER KARL KARLSSON, CENTRAL POLICE STATION.

WHEREAS, on Sunday, September 14, 1980, Police Officer Karl Karlsson, Central Police Station, made and filed Grievance No. 32-80, as follows:

Grievant Karlsson was assigned to the Tactical Division, Canine Unit on July 21, 1980, after having remained on the transfer list for that unit since 1975. On September 9, 1980, Grievant reported for duty at 1900 hours and discovered on his own, that he was being transferred to Co. A effective 9/14/80 as per Personnel Order No. 37.

Grievant Karlsson was not informed either orally or in writing for the reason(s) for this arbitrary transfer as required by General Order P-1. It is Grievant's understanding that a lengthy memorandum submitted by his Commanding Officer, has been transmitted to the Chief outlining "Various deficiencies" the Grievant has that necessitated the immediate transfer. Again, the provisions of P-1 were abrogated in that the grievant has not been afforded the opportunity to review this report and respond to the reason(s) that



resulted in his transfer.

Officer Karlsson's suggested remedy to his Grievance is immediate transfer to the Tactical Division, Canine Unit.

and

WHEREAS, a hearing on said Grievance was had before the Police Commission in accordance with the Grievance Procedure detailed in the Memorandum of Understanding on Wednesday, January 7, 1981, and on Wednesday, January 7, 1981, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that Grievance No. 32-80 made and filed by Police Officer Karl Karlsson, Central Police Station, is not sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Grievance No. 32-80, made and filed by Police Officer Karl Karlsson, Central Police Station, is not sustained by the evidence presented at the hearing; and be it further

RESOLVED, that it is the order of the Police Commission that a Departmental Memorandum dated Friday, September 5, 1980, and submitted by Charles F. Ellis, Captain, Tactical Division, to James A. Ryan, Deputy Chief, Field Operations, be removed and destroyed from all files relating to Police Officer Karl Karlsson; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Karl Karlsson's suggested remedy to Grievance No. 32-80, "Immediate transfer to Tactical Division, Canine Unit," be, and the same hereby denied; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Karl Karlsson be allowed to request re-assignment to the Canine Unit at a later date at which time said request will be placed with others to that Unit.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez





Recess taken during the hearing  
of Police Officer Karl Karlsson:

2030 hours to 2040 hours.

The Commission then adjourned its meeting  
at 8:42 p.m.

  
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SECRETARY



14 JANUARY 1981

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 14, 1981 at 1700 hours, in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

DOCUMENTS DEPT.

Commissioner Sanchez presiding.

JAN 19 1981

SAN FRANCISCO  
PUBLIC LIBRARY

The Commissioners, having received, amended and returned copies of the minutes of the meetings of November 19, 1980, November 26, 1980, and December 3, 1980, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECOMMENDATION OF THE TRAFFIC BUREAU

Item #11 - 195 Palm Avenue, Consumers Distributing Co. Ltd.

Sergeant Andrew Quaglia of the Traffic Survey Division, said there were people here today to speak for the granting of this proposed Yellow Zone and against the granting of the said zone.

Commissioner Sanchez then asked the speakers who were speaking in opposition to the Department's recommendation of granting the zone to please come forward, identify themselves for the record, and make their presentation.

Speakers against the granting of the zone were:

Mr. Amadillo Baldienzi, resident of Palm Avenue.

Mrs. Margaret Robles, Palm Avenue.

Mr. David Balma, resident of Palm Avenue and Director of Jordan Park Improvement Association.

Mrs. Irene Young, President of Jordan Park Improvement Association.





The speakers for the granting of the zone were:

Mr. Glenn McGee, District Manager of  
Consumer Distributing for the San  
Francisco Area.

Mr. Thompson, Regional Office of Consumer  
Distributing.

After listening to all parties concerned, Commissioner Nelder moved to disapprove the Department's recommendation of the granting of the 63 feet of yellow zone for Consumer Distributors on Palm Avenue. He said he was making this motion because of the school there and, in addition, a petition with over 140 signatures of people who live there and have lived there for a long time. He said he felt the Commission has to defer to the residents before considering a parking area to unload merchandise.

Commissioner Daly seconded and it was unanimously approved for denial.

The remaining portion of the Consent Calendar was approved prior to discussion of this Traffic item and the President at this time called for the next item.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

2361 MISSION STREET - EL CAPITAN HOTEL - DENIED

- a) At 2361 Mission Street, install a 22' white zone, extending from 5' north to 17' south of north property line. DENIED.
- b) Meter #2331 to be removed. DENIED.

1055 ELLIS STREET - SACRED HEART HIGH SCHOOL

- a) At 1055 Ellis Street, install a 66' white zone, extending from 81' to 147' west of Franklin Street.

921 FRANKLIN STREET - SACRED HEART HIGH SCHOOL

- a) At 921 Franklin Street, install a 36' white zone, extending from south property line 36' north of same.



1075 ELLIS STREET - SACRED HEART HIGH SCHOOL

- a) At 1075 Ellis Street, install a 25' white zone, extending from 25' to 50' east of west building line.

2660 HARRISON STREET - WINDFIELD DESIGN ASSOCIATES, INC.

- a) At 2660 Harrison Street, install a 44' green zone, extending from 26' to 70' south of north building line.

3301-24th STREET - 23rd AND MISSION PRODUCE

- a) At 3301-24th Street, install a 44' STLZ, extending from 10' to 54' west of east property line.
- b) Meter #3301 and #3303 to be removed.

3252 PIERCE STREET - MARINA PUBLIC PARKING FACILITY

- a) At 3252 Pierce Street, install a 10' blue zone, to replace meter #MAR. G1#1.

601 BALBOA - BALBOA MARKET

- a) At 601 Balboa, install a 44' green zone, extending from east property line 44' west of same.

1711-37th AVENUE - WEST PORTAL LUTHERAN SUNSET SCHOOL

- a) At 1711-37th Avenue, install a 66' white zone, extending from 14' to 80' south of north property line.

1724 HAIGHT STREET - BON APPETIT CATERING

- a) At 1724 Haight Street, install a 22' yellow zone, extending from east building line 22' west of same.
- b) Meter #1712 to be removed.





195 PALM AVENUE - CONSUMERS DISTRIBUTING CO.  
LTD. - DENIED

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- a) At 195 Palm Avenue, install a 63' Special Truck Loading Zone, 7 a.m., to 1 p.m., extending from 5' north to 58' south of north building line. DENIED.
- b) Meter to be added and sign to be put on meter #193. DENIED.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 23-81

WILLIAM R. HATCHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William R. Hatcher against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 24-81

AUTHORIZING ATTENDANCE OF LIEUTENANT RICHARD D. KLAPP, PERSONNEL AND TRAINING, AT THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING QUARTERLY MEETING (P.O.S.T.) AT SAN DIEGO, CALIFORNIA, FROM JANUARY 29, 1981 TO JANUARY 30, 1981

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Richard D. Klapp, Personnel and Training, be detailed to attend the Commission on Peace Officer Standards and Training Quarterly Meeting (P.O.S.T.), at San Diego, California, from January 29, 1981 to January 30, 1981, be, and the same is hereby approved; and be it further



RESOLVED, that expenses incurred by Lieutenant Richard D. Klapp, in a sum not to exceed \$228.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO.25-81

POLICE NARCOTIC FUND - APPROVED

RESOLVED, that the Controller, be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy, in the amount of \$6,000.00 charging same to Index Code 580217 as an advance on the Police Narcotics Fund for the month of January, 1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 26-81

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy in the amount of \$4,000.00 charging same to Index Code 580217 as an advance on the Police Contingent Fund for the month of January, 1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 27-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense





Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Inspector Kenneth R.)	\$300.00	(Advanced Finger-
Moses )		(print Technology
Crime Laboratory )		(Workshop, Anaheim,
		(California, from
		(September 21, 1980
		(to September 25, 1980.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 28-81

AUTHORIZING ATTENDANCE OF SERGEANT ROBERT FIFE,  
AND POLICE OFFICER JERRY SALVADOR, POLICE ACADEMY,  
AT A FIREARMS INSTRUCTORS' COURSE, AT THE SANTA  
RITA RANGE, ALAMEDA COUNTY, CALIFORNIA, FROM JAN-  
UARY 26, 1981 TO FEBRUARY 6, 1981.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Robert Fife and Police Officer Jerry Salvador, Police Academy, be detailed to attend a Firearms Instructors' Course at the Santa Rita Range, Alameda County, California, from January 26, 1981 to February 6, 1981; and be it further

RESOLVED, that expenses incurred by Sergeant Robert Fife and Police Officer Jerry Salvador, Police Academy, in a sum not to exceed \$123.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 29-81

AUTHORIZING ATTENDANCE OF SERGEANT GREGORY S. CASH,  
TACTICAL DIVISION, AT A BOMB SQUAD COMMANDERS SEM-  
INAR, AT THE F.B.I. ACADEMY, IN QUANTICO, VIRGINIA,  
FROM JANUARY 12, 1981 TO JANUARY 16, 1981

RESOLVED, that the recommendation of the



Chief of Police that Sergeant Gregory S. Cash, Tactical Division, be detailed to attend the Bomb Squad Commanders Seminar at the F.B.I. Academy at Quantico, Virginia, from January 12, 1981 to January 16, 1981; and be it further

RESOLVED, that all expenses will be defrayed by the Federal Bureau of Investigations.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

#### POLICE COMMISSION REPORT

Commissioner Sanchez: "Okay, under the Police Commission Report let the record show that the Commission met this afternoon at 1630 hours in Executive Session under the Brown Act with legal counsel pertaining to legal matters and no vote was taken at that point.

At the same time, we did review as we stated initially, matters pertaining to interpretation of Proposition K, and the matters that the Commission had considered at the last meeting, whereby the holding in abeyance until at such time there was legal clarification, the issue of accepting permits where the party, or parties, had died.

Is there any discussion, or whatever, by the Commission pertaining to this matter?"

Commissioner Murphy: "Well, I think the minutes of this meeting should show that while we did delay for a week a decision on the matter of handling a permit of deceased permit holders, that we are now perfectly clear that we must proceed to determine those permits to be no longer in existence, and that we will also as, for holding Hearings of Convenience and Necessity regarding the issue of permits which should be held within a short period of time. I don't think it has to be next week, but it should be a relatively short period of time that we have these hearings and that persons who have applied for Taxi Permits be notified of what our standards are and when the meetings will be, and so on."

Commissioner Sanchez: "Fine, is there further discussion, or are there separate motions pertaining to the Proposition K and the permits that were discussed at last week's meeting? In essence, there are no permits to be issued because the Commission does not have permits, per se.

So the minutes will reflect what Commissioner





Murphy has stated. I believe we have the attorney who was here at the last meeting?"

John Gregory: "Yes, thank you. I am John Gregory, Attorney for Veterans Cab Company, I was here last week as you recall. I would like to speak if there is going to be, certainly before you, a motion to rescind, or revoke, the 6 taxi cab permits...or to revoke the permission to operate the taxi cabs that were, prior to Mr. Land's death, operated under those permits."

Commissioner Murphy: "That's the whole point of this, we do not have the authority."

Commissioner Nelder: "Mr. Gregory, to be more direct than that I think that it is our intention to instruct Officer Suslow to so notify the permittees that they are not to be used."

John Gregory: "Very well, may I very briefly give you my thoughts on what the nature of what it is we're asking for is? I have reviewed Proposition K again, and I think there is some confusion caused by what we mean by the term permit. 'K' is very clear that a permit, A) is owned by the people, B) it is an inalienable personal right of the permittee that lasts for so long as the permittee is engaged in the full time business of driving a taxi cab and is not guilty of misconduct or other reasons for revocation of the permit. It is intended to be a working life right of the permittee, okay. What we are seeking and sought last week is not under that definition, 'a permit.' We are seeking, pending the administrative process of reviewing these applications, and in effect, a life time right. We are seeking, in effect, a temporary emergency permission from the City, the people who own the permit, to operate taxi cabs that previously had been determined to be for the Public Convenience and Necessity that they be operated. Now it's certainly true that under K we are not...neither the Veterans drivers who have applied for them nor Veterans Cab would not be entitled to permits, that is this essentially unlimited as to time an exclusive right to operate these taxi cabs. But that is not what we are after, and Proposition K is wholly, completely silent on the matter of temporary, or emergency shorter term than permit as defined in the Act. And I don't think that in view of the fact the statute commands the Commission to er...it says that the 'Police Commission shall issue a sufficient number of permits to be sure of adequate taxi cab service.' Well, I don't see how the er...well we went through this last week, the fact is, the effect of this interpretation of the statute would be to take taxi cabs off the street and to throw people out of work."



If we recognize what we are trying to do and what we are doing is seeking something other than a permit which will not prejudice the rights of anyone to obtain this, or these permits, then I think it is a different matter, and we've....I would be pleased to answer any questions?"

Commissioner Nelder: "We have been instructed by the City Attorney that we really don't have that right. As a matter of fact, right now we don't even have an emergency permit to permit anyone to be used. We have been instructed that the permits expired upon the death of Mr. Land and...."

John Gregory: "That isn't correct, they didn't disappear, they didn't cease to exist."

Commissioner Murphy: "Yes they did."

Commissioner Nelder: "They did cease to exist because at this particular time we have to, in effect, recall those particular permits and we have no alternative. I think the Lieutenant wants to speak to it and I think the City Attorney corroborated precisely what you (Lieutenant Trueb) had written out. You might speak before the mike to the Commission and Mr. Gregory so he understands precisely what the City Attorney is directing us to do."

John Gregory: "I think I understand it, I don't agree with it."

Commissioner Sanchez: "That's a given."

Lieutenant Richard Trueb: "Lieutenant Trueb, all I would like to add was that I agree that there is concern for the people and the permits. I find it a simple analysis in analogy, to look at my police identification card, which is a police identification card, which is issued to Richard Trueb and when I leave the Department, it is City property and it comes back. It's still City property, but it can't be used by anyone else in that category. It's their property, but it can't be re-issued. I think the area in which Proposition K is silent is covered by other areas where it is very vocal, which gives you a very strict limit to the parameters of your authority, and I would have to agree with counsel, there is certainly knowledge as to the emergency, and I would suggest that he perhaps should be directed to direct correspondence to the City Attorney on that point, but I think that those particular sections in Proposition K are relatively clear, unambiguous, and truly limits your authority,





and my suggestion would be to counsel to contact the City Attorney to see if there was some other interim they could work out, but our reading of that does not provide you with that authority and I, of course, can't speak for the City Attorney."

Commissioner Sanchez: "Fine, thank you Lieutenant."

Commissioner Nelder: "Mr. President, there is one thing I'd like to say and I would like to say this to Mr. Gregory, that that is the reason we permitted the permits to be used at least until the City Attorney gave us these directions, as your concern was our concern. We were concerned with those people that were working, we want to keep them working, but if we don't have the authority to do it, we can't overstep our bounds and create something that is illegal."

John Gregory: "Very well, I understand the unequivocal nature of the advise the Commission has received, since I know Steve Diaz, but I guess what I would like to urge the Commission is that now we do have a situation where this leviathan statute has created this situation. It is essential, both from my client's standpoint and from, I think the people's standpoint, that this application process be attended to at the earliest possible time at the convenience of the Commission and in that respect am I correct that at next week's meeting the standards to be utilized by the Commission in ruling upon the various applications will be a subject of discussion at that time?"

Lieutenant Frazier: "If Deputy City Attorney, Steve Diaz, who we have asked for written guidelines in this regard, submits this material, then it will be presented to the Commission for discussion at that time."

Commissioner Sanchez: "I would like to state again, I think as the Commission has stated that even though, in spirit, we certainly understand the dilemma and the complications of the whole implementation of 'K', we, by law, must act accordingly. At the same time I think you mentioned again, and Commissioner Murphy cited that we are, I think at this point, can set a date for Public Convenience and Necessity Hearings. The Commission shall issue at that point orders to have public hearings pertaining to this matter. So at this point, I would like to set a date, perhaps February 11, as a date to have the public hearing pertaining to public....."

Commissioner Murphy: "Is that the first Wednesday..."



Commissioner Sanchez: "I think that is the second Wednesday in February, this way we would have time to review the standards and/or the criteria which would be received by the Chief and by Legal Counsel and still have some public insight into that, and then have the hearings proceed accordingly on the 11th so this way the Commission could render, after public hearings if, in fact, there is a need to issue permits up to let's say our initial allocation of 711, or whatever the criteria is."

Commissioner Murphy then inquired relative to disciplinary hearings schedule.

Lieutenant Frazier: "So far we have two pending and who knows what might come up between now and then. But right now we have two pending."

Commissioner Murphy: "And are they established as to the time to hear them?"

Lieutenant Frazier: "No. We have the Joe Engler matter that is being put over from time to time and then we have....."

Commissioner Murphy: "Well, we don't have anything set?"

Lieutenant Frazier: "We have dates set, but that doesn't mean they are going to go at those times."

Commissioner Murphy: "Okay, I think that is alright. I think that what we should plan to do is to develop the standards that we want to use, and then what we would have to do is to notify the people. There are some 200 people/applicants, some of them have been on that list since 1978."

John Gregory: "The only point I want to make is that our client, and possibly others, would like to be heard on the standards that the Commission is free to formulate, in addition to those specifically set forth in the ordinance."

Commissioner Sanchez: "You will have an opportunity to speak to that as well as the rest of the public pertaining to that matter. That will definitely be calendared prior to the public hearings itself, pertaining to the Public Convenience and Necessity Hearings."

Commissioner Murphy: "As a matter of fact, we ought to be able to do that by next week, or two weeks, at the latest."





John Gregory: "Thank you."

Commissioner Sanchez: "Further discussion on this matter by the Commission? Is there a consensus among us then that February 11th looks like a good date to set the Convenience and Necessity Hearings and then somewhere between that time to have on calendar the hearings pertaining to the criteria for standards and/or, whatever, which will be reviewed by the Chief, the City Attorney, and be brought back to the Commission."

Commissoiner Murphy: "And the Industry."

Commissioner Sanchez: "Yes, right. Is there any other matter, or matters, pertaining to the Police Commission Report at this time? If not, we can move the items....."

Commissioner Nelder: "Mr. President, only to Mr. Gregory that if you confer with the City Attorney's Office and work out a workable solution that could be agreeable to us, but we have been instructed as we indicated to you."

John Gregory: "Well, very well. I will indeed put forth our position, our legal position, which is in contravention to his interpretation of the statute in writing to him. We will do that forthwith and it may be that we will be able to persuade him."

Commissioner Nelder: "Because our concern was the employment of the people and is still our concern, but we have no power to do other than what we are doing. This is the way we have been instructed so that's why I suggest to you that you might talk to him."

John Gregory: "We shall do so. I appreciate your time. Thank you."

Commissioner Sanchez: "Thank you. Fine, could we please move the agenda?"

Lieutenant Frazier: "Next item, item 5. Chief's report to the Police Commission."

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Deputy Chief Shannon: "Commissioners, last week at



your hearing, a point came up about the housing of dogs during that hearing you had, and with it was if kennels could be used and the Chief has requested Sergeant Blackwell to speak on the matter and you could question the Sergeant."

Sergeant Blackwell: "Commissioners, I am here to hopefully clarify an issue that was brought up during the last meeting which was the housing of the dogs, supposedly, in a kennel. During that meeting a picture was introduced and an ex-member of the Dog Unit, supposedly, was going to house a dog in that kennel. The reason I am here is to insure the Commission that that is not the practice in the Unit, now, nor has it ever been a practice in the Unit dating as far back as 1964, under Sergeant O'Keefe at that time.

Commissioner Daly expressed considerable disappointment, at least it appeared that way, over that particular matter. There are 5 working dogs within the Unit now. None of those people ever has, or do they have any intention of kenneling the dog. The dogs that are kenneled in this Department are kenneled at the Range. They are there for as short a period as we can allow so we can evaluate the dog to it's adaptability to police work and to get him examined by a vet, if he does prove to be the type of animal we are looking for, then we find him a home as soon as possible. Bob Barry implied that other members of the Dog Unit were kenneling the dogs and again, I would like to assure you that that is not so."

Commissioner Murphy: "Not so good."

Commissioner Sanchez: "Thank you Sergeant. Do we have questions from the Commission of the Sergeant pertaining to this?"

Commissioner Daly: "No. I just want to thank you very much, I will sleep better, more humanely, at night. I really appreciate that. Thank you."

Commissioner Sanchez: "Thank you Sergeant. Thank you Chief Shannon."

Deputy Chief Shannon: "No further report."

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE  
POLICE COMMISSION ADOPT THE PROPOSED POLICIES





FOR ACCESS TO AND DESTRUCTION OF INTERNAL  
AFFAIRS BUREAU RECORDS. (CONTINUED FROM THE  
MEETING OF DECEMBER 10, 1980.)

Deputy Chief Shannon: "Commissioners, I had asked that this be put over for two weeks. What has happened is that the POA is in the midst of their election and they were having a little bit of a difficult time. They want to meet with me, they have some minor problems with it, so I am asking for another two weeks continuance."

Commissioner Nelder: "I so move."

Commissioner Murphy: "Toler second."

Commissioner Sanchez: "Motion and second all in favor say Aye."

Unanimously approved for continuance.

RESOLUTION NO. 30-81

AUTHORIZING THE SAN FRANCISCO POLICE DEPARTMENT  
TO ACCEPT A GIFT FROM MR. DONALD BRUSCO OF A  
VALUE OF APPROXIMATELY ONE THOUSAND FIVE HUNDRED  
(\$1,500) DOLLARS

WHEREAS, Mr. Donald Brusco of Hillsborough, California, has expressed a desire to donate a horse to the San Francisco Police Department Mounted Unit; and

WHEREAS, this civic-minded gesture will provide needed assistance in the protection of life and property in San Francisco; and

WHEREAS, Section 10.116 of the San Francisco Administrative Code allows for the acceptance of gifts by the Department head of only those gifts to the City and County of San Francisco of a value of one thousand (\$1,000) dollars or less; and

WHEREAS, it is necessary for a resolution of the Board of Supervisors to authorize the acceptance of gifts in excess of this amount; and

WHEREAS, the generous gift from Mr.



Brusco will be of a value of approximately one thousand five hundred (\$1,500) dollars; now, therefore be it

RESOLVED, that the Board of Supervisors of the City and County of San Francisco hereby authorizes the Chief of Police to accept, on behalf of the City and County of San Francisco, a gift from Mr. Donald Brusco of a horse to be used by the San Francisco Police Department Mounted Unit.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

REQUEST OF MR. GONZALO MONTANARI TO SUSPEND OPERATION OF HIS JITNEY BUS PERMIT FOR A PERIOD OF NINETY (90) DAYS.

Officer Suslow: "This is a request by Mr. Gonzalo Montanari, a Jitney Bus Permit Holder to suspend the operation of his jitney bus. He had asked for a suspension in 1980, I believe it was in June or July. He was granted 9 days by the Commission and he only used two.

The Chief of Police is recommending that Mr. Gonzalo Montanari's request be granted for 88 days effective December 10, 1980 to March 8, 1981."

Commissioner Toler: "I so move."

Commissioner Murphy: "Second."

Commissioner Sanchez: "There is a motion and a second, discussion? If not, all in favor say, Aye. Unanimously approved."

RESOLUTION NO. 32-81

REQUEST OF MR. GONZALO MONTANARI FOR PERMISSION TO SUSPEND OPERATION OF HIS MOTOR VEHICLE FOR HIRE PERMIT FOR A PERIOD OF EIGHTY-EIGHT (88) DAYS - APPROVED

WHEREAS, Mr. Gonzalo Montanari has requested that permission be granted to suspend operation of his Motor Vehicle for Hire Permit for a period of eighty-eight (88) days; and





WHEREAS, the Police Commission after receiving testimony on behalf of Mr. Montanari concurred with his request; therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Gonzalo Montanari for permission to suspend operation of his Motor Vehicle for Hire Permit for a period of eighty-eight (88) days, from December 10, 1980 to March 8, 1981, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

SETTING OF DATE FOR HEARING THE GRIEVANCE OF  
SERGEANT DONALD BREWER

Paul Chignell: "I am involved in an election right now that is quite controversial and I was hoping this matter could be set to be heard after the election.

During the period from the 26th to the 30th, it will be quite hectic. Any other date beyond that would be fine with Sergeant Brewer and myself."

Commissioner Nelder: "Move the first Wednesday in February."

Commissioner Sanchez: "Fine, there is a motion for the first Wednesday in February, is there a second?"

Commissioner Daly: "Second."

Commissioner Sanchez: "All in favor say, Aye. Unanimously approved."

RESOLUTION NO. 31-81

SETTING OF DATE FOR HEARING OF GRIEVANCE NO. 31-80  
FILED BY SERGEANT DONALD BREWER

WHEREAS, the date to be set for the hearing of Grievance No. 31-80 filed by Sergeant Donald Brewer, was called; and



WHEREAS, it was requested by Inspector/Sergeant Paul Chignell, Vice-President, San Francisco Police Officers' Association, that Sergeant Brewer's hearing of Grievance No. 31-80 be set for February 4, 1981; therefore be it

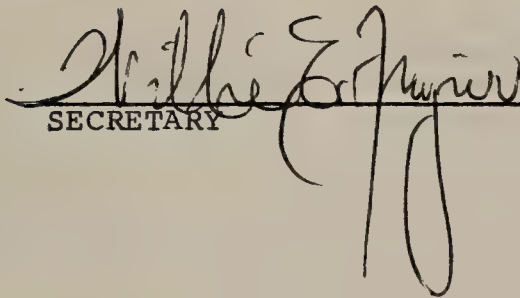
RESOLVED, that the hearing of Grievance No. 31-80 filed by Sergeant Donald Brewer, is set for Wednesday, February 4, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Daly then moved for adjournment.

Commissioner Murphy seconded and it was unanimously approved for adjournment.

The Commission then adjourned its meeting at 6:21 p.m.

  
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SECRETARY





21 JANUARY 1981

SPECIAL MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 21, 1981 at 1600 hours, in Special Session.

PRESENT:

Housing Authority  
Commissioners:

Joan Byrnes San Jule  
Betty Jane Brooks  
Elouise Westbrook  
Beatrice Patterson  
Carl Williams  
Preston Cook  
Barney Disom

Police Commissioners

Dr. David J. Sanchez  
Jane McKaskle Murphy  
Alfred J. Nelder  
Jo Daly  
Burl A. Toler

Chief of Police  
Cornelius P. Murphy

DOCUMENTS DEPT.

Housing Authority  
Commander  
Troy Dangerfield

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MCJC Executive Director  
Rotea J. Gilford

Commissioner Sanchez presiding.

Mr. Preston Cook: "Okay, very briefly, let me open up with a few brief remarks and then we will have plenty of time for some discussion on how we can act. The Reason why we called the meeting is multi-fold, but it really gets down to two things and that is, it's just the high crime and security problems that we have in public housing and cooperation between the San Francisco Housing Authority Police and the San Francisco Police Department.

There was a story done last year from some figures that we came out with that were quite incredible and quite startling. You know, murders are significantly higher in public housing than they are in private housing, assaults are 20 times higher, that's 20 times higher in public housing. Rapes, robberies, burglaries, auto thefts are approximately 8 times higher in public housing than in private housing. Obviously, we have some real severe problems out there. So what we would like to talk about today is initially to discuss some kind of agreement of cooperation between both of our agencies. I have listed a couple of areas here but it's certainly not all inclusive. There are other areas, I am



sure, that will come out of this meeting and, hopefully, in subsequent discussions in the future. But there is the area of cooperation with our Police Training that has just been initiated at the Housing Authority. Training our police department. Better and quicker response time in the San Francisco Housing Authority. Establishing a policy for telephone calls from residents of public housing to the San Francisco Police Department. Having more visibility in public housing, and another small area is revenues from parking tickets that have been given on Housing Authority property. I understand that we should get those revenues and that is certainly a small item, but one, because of our fiscal problems, that we have now and it looks like with the new administration in Washington, will be quite severe in the future, that parking ticket revenues would certainly help public housing.

I see that there are a few residents from public housing in the audience and they may want to say some words concerning some of their individual problems which may be incorporated with an agreement of cooperation if we....we will discuss now.

Maybe some of the other Commissioners, we have two resident Commissioners, the Vice President, Betty Brooks and Bea Patterson, Sr., our tenant representative here, and they may have some specifics that they would like to talk about, and I am sure our Executive Director and Commander of our police department will have some remarks to make."

Mrs. Beatrice Patterson: "Well, I had a little trouble the other day but it was from the Housing, it wasn't directly here. I had got a...in the driveway there they had parked the truck and I couldn't be in so I parked in the white zone and went up and the police came along and they gave me a ticket. Well, they didn't look on my car to see that there was a sticker on there that I lived there, so they gave me a ticket. And I had to come down here, stayed all day parking, all of you know what you go through and all of that. Well see, first I had to go and try to talk to the Housing Manager first, and he gave me a letter and then I came down here. But then I spent all day. I came before 12 and then I had to wait over that hour and then stay the rest of the whole day. So, I had that trouble but, I can say that I understand after I got the ticket it was from the Housing Authority, and I guess it was some of the new fellows that haven't been able to remember everything to do, possibly. Boy, was I hot!"





Commissioner Nelder: "It was issued by the Housing Authority Police?"

Mrs. Beatrice Patterson: "That's what I understand after I read the er...on the ticket there. But we do have such trouble, over on Pine, I am. The drug stores aren't open....."

Commissioner Murphy: "Where do you live?"

Mrs. Beatrice Patterson: "1880 Pine, and we called to ask the police to check around and all but we never see them, we never see anybody, so the people are all just so afraid there, it's happening. A lady got robbed here about a month ago, somebody just came in and shook the people. I don't know how they got in, but her door, I don't know if it was open or not, but anyway he went on in, he pushed her on in and robbed her. What all he got, I don't remember now, but it was an old lady and this is an old senior citizen building. But we have so much of that in that building. So, you call the police and they are hours coming. They tell you to call the Housing Authority and then we call the city, nobody hardly ever comes. If they do, it's a couple of hours before they get here. They never give us any consideration."

Commissioner Nelder: (To Dangerfield) "How many officers do you have?"

Troy Dangerfield: "We have 24 officers."

Commissioner Nelder: "How much time do you have to space for the 24 officers?"

Troy Dangerfield: "Around the clock, so it averages out to about a car and a half per shift."

Preston Cook: "If I could interject here, what we are talking about is 24 police officers for about 45 different locations, in 45 square miles, covering 24 hours, and covering 22,000 residents. This is what we are talking about. We are not talking about a 22,000 resident town which is a much smaller area than what we are talking about. Basically, we are talking about 2 policemen per shift, covering 22,000 people in 45 different areas, in a 45 square mile area."

Commissioner Nelder: "Then you are pretty well spread out."





Preston Cook: "Yes, we are really all over the city."

Carl Williams: "Commissioner, we have projects on the Great Highway stretching all the way across town the other way to Hunterspoint. So we have....."

Commissioner Murphy: "I know where a lot of them are but I didn't realize that you had that many."

Preston Cook: "From Chinatown to the Richmond District, out to the Ocean to Bayview. They are really everywhere in the city."

Elouise Westbrook: "Can I say something? One of your problems, I think what we were talking about is, what can the Chief and you guys may help us with that if a tenant calls a policeman, here, down here and then they so oft times refer to call the Housing Police, and when that Housing Police is already out on calls, well I have been very hostile about it for numerous of years, and I have been right here and testified to that same effect that was that, I feel like even though I live in public housing I am a citizen of this city, and I feel like that I should be protected as much as a person who lives in private housing, even though I live in public housing. Because you remember now I have paid my taxes even though I live in public housing just like everybody else, and so the police department when you get ready to vote don't belong to just some people and other people it don't belong, it belong to the whole, total city. And then if it doesn't, then we ought to save and divide our taxes where we can put on more men just to take care of public housing, and then let the city go and take care of theirs. And I don't think that's fair, Chief. I think that when you was put in we all felt real good and you know when we vote for certain things, issues, for the police department to get your raises, or the people out there, we voted right along with them to get it. If it's a problem and we feel like the police department need our help, not because I am a Commissioner of Housing, but when I was a citizen I did that. And you have to believe and to have a better police department for the city, you have to believe in your police department that a job is going to be well done. But when citizens of the Housing makes complaints to our President and our Director that things are not as they should be, then we, as Commissioners, get concerned too. I am concerned, not as a Commissioner but as a citizen that the police department do not respond, and when they do respond, if somebody was at a fight right today and you know, Commissioner Nelder, you and I have been working for many, many years, if somebody had a fight in public housing, when they



get there the man is dead. Are you following me?"

Commissioner Nelder: "Yes, I sure do."

Commissioner Murphy: "Or they are beat up or something?"

Elouise Westbrook: "Thank you. Because it's three and four hours and that's the reason why I don't like for the police stations to be closed in the different areas because it's a quicker, it should be, response from out there to our, you know, on Third Street, or whatever the district is, cause they are right there, they are in the area. Another thing, you know, what really bugs me, bugs me so bad in the world, is when I always see the sirens just screaming going down the street and I wonder where in the world are they going, you know. Sometime I used to follow but I don't follow them now cause people say shoots what if a bullet should hit you. But I used to follow them. So the other morning I followed them. They just wanted to get it out of the traffic and then everybody get out of the way and let them by. When they got through they just took their time and went on back to where they wanted to. I think that's silly. I think that's a waste of the time, if they would be that punctual in coming to a fight, or disturbance, and I don't care whether they mind or not because I criticize them now cause I am sure I'll get criticized too for being a Commissioner, and that's good, but I have to voice my opinion. Coming to the problem that is actually happened I think I could be very well pleased. I talk to this captain here all the time, I want to know how come things have not been done, er, how come things, er, people keep on calling and sometimes they call me, or him, and this young man does a damn good job. Chief, and I don't know of anybody who do a good job as er...what's your name?"

Troy Dangerfield: "Dangerfield."

Elouise Westbrook: "Dangerfield. I am very proud of him, I hope we have more people like that."

Commissioner Sanchez: "Commissioner Westbrook, I would like to respond if I could at this point and then have the Chief respond, because I think that, first of all on behalf of the Police Commission and the Department we wish to thank all of you as a Commission, including your staff, for requesting this very important meeting."





The Commission and the Chief, for the past year, we have been looking at a number of areas of the kind of things you are bringing before us now, dealing with some very tough issues. The whole relationship of police training. We are talking about Housing Police, we are talking about Muni Police, we are talking about Hosital Police, and we are talking about a number of police units, and how do we insure that the quality of service is true whether we live in Garfield or whether we live out at Pacific Heights. So, police training, response time, the question of telephone calls, who, in fact, has responsibility, what is the internal mechanism? All these questions have been raised in different parts, and it is being raised by your Commission before us here.

And also the question about the revenue department, which you know we share with you but what happens, as we know, the Department of Public Health saved the taxpayer x millions of dollars this past year and that money is transferred to the General Fund, so I mean, in essence, what are we going to do, okay, so anyway, I just want to say at this point we really thank you for taking time to come and sit down and share with us some of your many excellent thoughts that we have been trying to deal with, and hope to maintain and work with and, at this point, I would like to turn the meeting over, if I may, to Chief Murphy to have him respond to a little bit about, as an example, the Police Training, response time, the telephone calls and revenues.

I just want to say this, during the past number of years, the Police Commission does give Meritorious Awards, for outstanding police service. It has been an honor for all of us as Commissioners and, perhaps, we could extend an invitation in the future when we do have Housing Police being given awards, that invitations be sent to the Housing Commissioners who also can be here and participate on behalf of their people who have done outstanding work. This is something Chief Murphy has undertaken this past year, and it's really a tribute to the men and women you have in your units who are performing outstandingly. So, hopefully, we can open up communications in the future pertaining to any awards being issued. But rather than keep talking, Chief, I would like to turn it over to you so you can throw the ball back in their field."

Preston Cook: "Could I say one thing before the Chief speaks? You know we are not here to solve all these problems. And what we are here to do is express the Housing Authroity concerns, and as the first step in communicating to you that we want to continue to discuss these things, and that we want to develop some kind of agreement with the Police Commission so we are not putting you on the spot here by some of these things that we are bringing up by any means, because we just want to discuss these things."



Chief Murphy: "These are things that Troy and I, and Carl, have been talking about for some time now. I think we have made some rather large steps using the spirit of cooperation over the last year, and I have to give Troy particular credit for that. I think as a starter, I think I will let Troy give you an update on the training, at least to the Police Commission, on the training aspect of what we have done in cooperation with training the Housing Police. So Troy, if you would take a minute to explain it."

Commissioner Murphy: "Before we do that, why don't we introduce ourselves, I am not sure everybody knows everybody else."

The Commissioners and Directors of the Housing Authority then introduced themselves.

Troy Dangerfield: "One of the critical things that the Chief has just mentioned in training of the Housing Police. And as former Chief Nelder knows that the people in public housing need more and better police services from all quarters. I didn't know at the time when I took over the position that the Housing Police hadn't had any training since 1968, I think which was the last time they had gone to the Academy. At one time it was an on-going thing, and upon discovering this, I came to the Chief and talked with him about it and he said he would give us the resources available if needed....."

Commissioner Murphy: "Aren't they policemen to begin with?"

Troy Dangerfield: "No, they were not. They were not viewed as peace officers. Since that time they are peace officers."

Commissioner Murphy: "They are now."

Troy Dangerfield: "There was a notion that we sort of took it for granted that Housing Police were peace officers. This is a dangerous kind of situation because there are all kinds of liabilities both for the Housing Authority, for the officers, and for their families with untrained people who have had no real status. You know to go back just a ways, Carl Williams, our Director, when he brought me aboard we recognized, we made some assessments of what the needs were to better the crew, and we initiated a meeting with Chief Gain, and this was kind of a historic meeting. Our present Chief was one of the persons who really headed up that particular meeting, and I think he has shown some interest and concern ever since that time. I don't know of any other time that that much concern between the





two agencies, and the sense of cooperation, was genuinely pursued. So, from that time we talked about a possible Memorandum of Understanding, and we met with some of the different captains and talked about some of the things that are reasonable enough for us to pursue and since that time I would like to mention that the training was one of the main issues, and as of the end of November, 1980, the Chief gave us enough resources from the Police Academy, and also loaned us people from the rank and file of the police department, and we started doing some training. It's going to amortize itself in a short while. Training, as you know is very expensive, it is a two-edged sword, we can afford to hold those officers who are trained, responsible. Where, in the past, if they had no training, they had no rules and regulations to go by you couldn't make them responsible for anything. So, I am really encouraged by the meeting of the Commissioners. It looks like the Housing Authority is really going some place because this is the first.....

I was at a meeting recently when the Housing Authority Commissioners felt that there was a need to better communicate with the Police Department, and any other agency that may come in contact with the Housing. Chief Nelder, former Chief Nelder, he is still my Chief....."

Commissioner Nelder: "Elouise, Elouise, you are perfectly right, you have a good man here."

Troy Dangerfield: "At a recent meeting of the Police Commission even mentioned you had some very strong concerns about the lack of coordination and cooperation between different auxillary police forces. The private patrol, the auxillary police, patrol specials, and ironically, the time when we have just completed the training program Chief Nelder was saying this was the thing that we need to take a good look at and do on a larger scale, and without taking up a lot of your time, these are just some of the things the Chief asked me to speak on, and it has been very good."

Chief Murphy: "Yes, I think that kind of touches to the heart of what we are talking about is the cooperation or...and when you say cooperation now, I guess you have to assume that in the past there wasn't that much cooperation going on between the two departments, and maybe that was so to a degree. I think you have to look at the broader picture of what was happening to not only to the Housing Police, but to the City in general, in terms of police officers, and up until last year you know we weren't able to hire any police officers, we were tied into the court action, and as a result of that we weren't able to do any hiring. So the





police department, itself, was severely undermanned when we couldn't hire any police officers, we were losing police officers at the rate of 120 officers a year, and a lot of things really went by the wayside in the police department, particularly in specialized areas of Traffic Control, Motorcycle officers, the horses, the Hondas, the Dog Unit, the investigators and it got right down to the bare bones at the district stations where we were just barely able to keep our heads above water just to handle the runs and the assignments that came in by the thousands every day. Fortunately, now we are hiring and training more police officers, and we are just now on the threshold of getting...we have the Bureau of Inspectors built up and all of the Specialized units, the Traffic you probably read in the papers about the horses, the honda unit, and all of that. Those are all in place now, and now what we are concentrating on is building up those district stations so that we can put out those minimum number of cars and then put out the foot beats after that. The goal for this particular year now is to build up the district stations and to provide the kind of service that we all know that we were a little bit lacking in, particularly in the area of response time. That we are going to be able to do. Part of the problem was with other parts of the Consent Decree that we had to do a certain amount of promoting within the department and, unfortunately, when we promote people they come from the rank of patrolman, who come out of the district stations, so that's all behind us now, that's all done.

Every recruit that comes out of the Academy now is going to be out in the district station. We will be able to fill at least the minimum amount of radio cars, plus, and in addition to that, the foot beats. It's so very, very important that we cover those foot beats. So, one thing that we have been able to do in the last year by building up those specialized units, the Motorcycles, the Hondas, Parks and Beach Units, all of those people. Those people are not encumbered by the routine call, would just go out and take a burglary report, an old burglary report, a malicious mischief, or whatever, by building up those units first we were able to bring down response time to serious, in-progress calls from 8.6 minutes to 4.4 minutes. We have been able to cut that down and we are not satisfied with it yet. We are shooting for that mythical goal of two minutes to response time to a serious in-progress call. So a lot of the problems that Troy had with his people over there dealing with a very small police force, we had the same problem going on in the bigger police department.

I don't think there has ever really been a problem of cooperation between the rank and file of the police department. I think we have always, in the last 28 years that I have been around had a good working relationship with the working members of the Housing Police. They are part of the family as far as we are concerned. They are police officers



whether they had status or not. We treated them just as any other police officers and correct me if I am wrong Troy, have you seen any problems in dealing with the rank and file people working together?"

Troy Dangerfield: "No, I haven't seen any."

Chief Murphy: "I have never seen that. I think we have a good relationship. They have had access to whatever resources the stations were able to provide for them. The report writing, the use of the station, responding with them, backing each other up. That's always been in place. What has happened over the years, especially in the last four years when we haven't been able to do any recruiting, and we had a declining number of officers, we weren't always able to provide that kind of backup service that we wanted. Quite frankly, it is just a matter of priorities, the cars were swamped, they just didn't have enough time to do all of the work that they have to do. I really think we are right now on the threshold of getting over that hurdle. I think now with the stations being built up, I think you are going to see response time come down, and not only to serious, in-progress calls, but to the routine calls, the one that you are talking about that takes two hours to get there. I think that's going to be a thing of the past in the not too distant future. So, as far as the telephone calls, I don't know what priority we can give them if it comes from a... we have to deal in priorities as to the nature of the call regardless of where it comes from, whether it is an assault in-progress at the Housing Facility, or up on Pacific Heights, or whatever, or out in the Mission, that is a high priority call regardless of where it comes from, we can't just drop something else just to get there. But if it's high priority, it's high priority right across the board, that's the way we do it. We have response time A, B, and C, and the A priority call is supposed to get out right now, B priority where it doesn't take an immediate response we try to get that out in 20 minutes, and we don't all the time, and we have the C priority and that goes up into a longer period of time and that kind of call you may very well wait an hour, and I think that is just something that we have to live with because priority comes first, there is no question about that. Violent, in-progress crimes have to be answered first, and if you are waiting for someone to get you out of your driveway, I don't think you can weigh the two and argue that we are going to go to the driveway first because we are going to have to handle the violence. And essential to that is keeping police officers in service and available to handle those runs. So that's why you wait, you are waiting now a little bit longer than you would like to, but I really, strongly believe, not just feel, but





believe in the immediate future as more officers go out to those stations, we are going to be able to get over that hurdle, the poor response time."

Rotea Gilford: "Chief, before you leave that could I just add a little thing? It came up at the meetings, which ultimately led to this joint meeting here. We had some meetings with neighborhood people, tenant groups out in the projects and one of the concerns raised was not only for the response, but for special treatment of the people in the projects when they called in trying to report crime. Now they claim they were using the hot line and that they were required to give call back numbers, and the understanding was that in other neighborhoods it wasn't necessary to give a call back number, so I think that ought to be cleared up. I see some folks here, sitting here ringing their hands because that hadn't been mentioned."

Chief Murphy: "Yes, we do try to get a call back number on any serious call, in fact, on all calls we try to get a call back number, because what you will find out when a person picks up the phone they are very excited, and somethings going to happen, maybe outside, or a noise, or something, and they are going to hang up that phone on you and go out and see what the hell happened, and then the operator is left standing, or sitting on the line, and she has lost that person so what we do, try to do, is get a minimal amount of information, and definitely try to get a call back number so that even after that person hangs up in case we have to get back to them, we will have some way of knowing where the hell we can reach that person."

Commissioner Murphy: "You know it's very important however, that people understand that because it's nothing more frustrating, or irritating, than to make a call and they start to quizzing you. I know my next door neighbor has an alarm, and all I knew is I heard the alarm go off, and it kept on ringing long enough that I knew that he wasn't there to answer...or it wasn't an accident, or at least I didn't think it was, so I called the police. I wanted them to hurry up, but I had to give not only his address, what my address was, what the telephone number, etcetera, that kind of information, and I think people don't understand why it is necessary to get this information. Now I did give it to them, but I don't know what good it did. This may be the reason that people hung up."

Carl Williams: "Chief, before you answer that, I think in addition to what Commissioner Murphy said, I think there is another substance that is probably even more of concern to us, or for the residents of



public housing, is that they fear that the information for the call back is only in certain neighborhoods."

Chief Murphy: "That is not so Carl."

Carl Williams: "I know that that is not true, but I think....."

Betty Jean Brooks: "But it is true."

Chief Murphy: "No."

Carl Williams: "Well, I am trying to find out whether it is or is not true, because that is given out there in the neighborhoods, particularly in the Western Addition and in Hunterspoint. It is only in those neighborhoods that you have to give that number, and that you have a call back system. Now if that is not the case, then certainly, I think you should try to put that very dangerous rumor to rest. But if it is the case, we would like to know what the reason for it is."

Betty Jean Brooks: "I would just like to say Chief, when you were speaking of the relationship between the Housing Police and your Police Department, you see the tenants, we know that there is a good relationship between the two police departments, but there is not a very good relationship between the tenants. That's what we are concerned about. Now, I mean we see your officers conversing, and talking, and having coffee all the time, but the point that we are here for is to have you understand that it is the tenant who calls, and say, 'my address is 1095 Connecticut' and receives a response like,..... 'really, oh!' That's the kind of response that we are concerned about."

Chief Murphy: "Well, okay now, I hear what you are saying and I agree with you there, but that was not the kind of cooperation that we were originally discussing. We were talking about cooperation between the Housing Police and the Police Department."

Preston Cook: "I think what we are getting at here is that what the San Francisco Housing Authority Tenants expect is the same treatment that the private sector expects. They don't expect any more, and they don't expect any less. The tenants of public housing should have equal treatment. They should be treated like anyone else in San Francisco. They shouldn't pick out an address and say well that's a different priority."





Betty Jean Brooks: "And say we are not coming that's, essentially, what happens. Okay, we understand the meaning of priorities, and we know how to spell it, we know you can write it with a pencil, or what have you, or, the only thing we want understood is when we call and say there is a shooting we want a response the same as if somebody in St. Francis Woods called and say there is a shooting that's all, you see. And 9 times out of 10 regardless of what the complaint is in our area you only come when we say they are dead."

Chief Murphy: "No, I won't agree with that under any circumstances at all because I can show you the log books and show you how many times police responded to the projects. So just on the surface I can't accept it and I won't ever accept it because I know for a fact that they do. Maybe not to the degree that you like, you know, but I am not just going to sit mute here and say that a police officer because a call is coming in from the projects, that they are not going to respond to it because that is not true."

Preston Cook: "Well, they respond to it differently."

Chief Murphy: "No. Well, you know, there is certainly a perception that they are going to respond to it differently, and there are other communities in San Francisco that have the same perceptions, and I would defy any of you to be able to prove that perception, because I don't think you can. I think there is definitely a perception, and whether or not it's true or not, if the perception is there, we still have to deal with that."

Elouise Westbrook: "Chief? What we are trying to say here, and I don't think we are trying to criticize anyone, but just get the facts on the table, how citizens are treated. So when we call from the public housing that there is a disturbance and a fight, shooting or whatever is going on and we feel like the, really next door neighbors, and we want to wit...sometimes we have to go through the...as Jane talked about, that you got to tell who you are, where you live, what's your telephone number, and sometime people resent that because they feel like they are going to be involved if it's a killing. And so they are kind of scared to say that my name is John Doe and I live at such and such a place, and if it is not a killing and then I called a policeman and somebody knows that I called a policeman, then that person next door sometimes harrasses that person for calling a policeman. So it's two problems here. But here is our problem, when we call and to dial here, what we are told is that you call the Housing Police because they know immediately what the address is. The address is near 1444 Navy Road, there is no such a name as that, that's where they live at Navy Road. Okay, so immediately, 'well, I can't respond, call the Housing Policeman.' Well we feel like at that time what we are trying to rectify now and feel like you have heard us on that that we don't have to call the Housing Policeman, knowing we don't have enough Housing Policemen, but somebody which is an emergency to respond to that. I agree with Jane."



When somebody was trying to break through my skylight and I heard them up there, I called the police department, 'what's your name? Where do you live, what's your telephone number?' and I told them but then I thought about something else and I called them back myself and said I got a gun. Are you following me? So then they called back and said, 'Miss Westbrook, when our men come they will be in plainclothes,' you know Chief, I told you that, 'don't shoot!' But you see, it's working on both sides, are you following me? So, what I am trying to say I could of shot, I probably would have broke up my house. What I am trying to say here is we want the respect, and Chief Murphy I have known you a long, long time, you know me, but at the public housing it's a different way that a policeman comes to my house than he does to Jane's. When he goes to Jane's house he rings the doorbell and oft times,....I don't have a doorbell Jane, just got one the other day, you know when I got it, okay, so I got a doorbell now, but when it comes to me, everybody in that project knows that that policeman is at my house. Bam! Bam! Bam! Now that's all uncalled for. And Chief, if you think I am lying I will go around with you and have somebody call and we will just stand out there and watch the deportment of your young men. Now we are not trying to...and you said a few minutes ago something beautiful, that we are going to have that community relationship again where the men who are new on the force will begin to understand that we are all citizens and treat everybody in the same respect. But when they go to Jane's house, they ring the doorbell, they tip their hat, 'good afternoon, or good evening, or good morning.....'"

Commissioner Murphy: "They know I am a Commissioner."

Elouise Westbrook: "No they don't, all of them don't even know who you are darling, but whether they do or not, there is a difference in the way they respond to you, and that is beautiful, that is the way you should be treated. But because I live in a certain segment of the city, I get a different response. Everybody in my neighborhood knows the police is at Elouise Westbrook's house."

Beatrice Patterson: "Well, do you think they show respect for the old people? They treat you like nothing."

Elouise Westbrook: "I don't doubt it, but I am telling you how they do it. I appreciate what the Chief said, he said, 'we are going to go through a community relationship,' and I believe that. I believe that and you young people on this Commission that's what's going to happen, you are going to tell your Chief and your Chief is going to do that."





Chief Murphy: "Thank you."

Commissioner Sanchez: "Chief, I would like to respond a little bit to that and get back to you. I would like to introduce Commissioner Jo Daly."

Commissioner Daly: "I would like to apologize for being late. I was at a meeting of the Inner Group Clearing Committee."

Commissioner Sanchez: "Just let me throw out a few things here as were presented initially. You know the police training, response time, the telephone calls, revenues, etcetera, basically you have stated that this was the first of a meeting between the city's two Commissions just in order to establish a public dialogue because of the fact that there is a great deal of concern about perceptions. About how, maybe, members of our law enforcement agency respond to ABC and D, police training, etcetera, etcetera. At the same time we have heard the Chief's side along with also, our Captain's, you know, we do have training that many of us were totally unaware of, and I guess...when was it, last week you had the open house out there at the Chinatown-North Beach Project. Some of us had an opportunity to see it. To see the community in action working hand in hand, and I found a number of areas that I was totally unaware of, about the fact that as you say, as an example, there are only 24 officers for 22,000 citizens in the city at over 45 different sites, which is unbelievable as far as adequate law enforcement. And I think that basically what we might be able to do here is at least have a few areas so that the Chief and his staff can begin to investigate and look at, such as, as an example, who does a person really call if, in fact, there is a serious incident, or maybe an incident which is not so serious. Do they call the Northern Station, or whatever, or do they call the Housing Police? What happens when they are told, 'call the Housing Police,' and you know the Housing Police are not available anyway because we just heard that there is only 24 per 22,000 people, what basically, is the process and procedure that our people should be following? I don't have any answers and I don't think you have any answers and, perhaps, we could at least work this out and get some good response to this. The second thing is, I am sure everybody in the room has at least one or two examples of the whole telephone communications process. I know I personally have talked or called for some of the senior citizens and have gotten a recording that has put me on hold for 40 minutes, and you are going around and around, they say it can't be done, and I know it did, and we have looked at it with those other people. So what we are saying is the fact of the matter is the Department is now trying to increase communications for the whole city, and we hope to go into that emergency three number and, hopefully, this will resolve things. But what you are saying today, and this is important, the fact that all



of you are here because regardless of, basically, our training and response time, you still feel, as people involved as serving and participating in public housing, that there needs to be even better understanding of both police services from our point of view as a Police Commission, as a Police Department, and also about what the rules and procedures are for your people so this way they know what steps to take in case of an emergency whether it be emergency A or B, or whatever. The last thing I want to throw out, because I think it's important, the Chief has mentioned that we are now training numbers of people, and let me just say, the classes of our students reflect what San Francisco is all about. We are all different ethnic groups, we have different life styles, we have a whole diversity of San Franciscans who are now becoming law enforcement officers. I would hope that in future training, unless it's being done now, that maybe we have at least one or two lectures in the Academy for our future officers from our Housing Police, and also, maybe by some of our tenants who live in public housing who could give lectures to our Academy classes about, you know, what are some of their concerns and what is expected of our future policemen. So this way we could start right at that level there and then build as we go along."

Chief Murphy: "Yes, good idea, very good."

Commissioner Nelder: "I think, I don't know if you know, but Troy Dangerfield is a very experienced man in Community Relations. He was in Community Relations for a good number of years and did an outstanding job and it might be wise, Chief, to put him in touch with our Commander of Community Relations, because I believe this is very important."

Chief Murphy: "Troy has been working with Thorsen."

Commissioner Nelder: "The people who call in have to be treated with service and courtesy and I think that should be worked out. If you have 45 different locations and only 22, or 24, men I think you should work on building up more manpower."

Commissioner Murphy: "What is the reason you only have 24, Troy, don't you have any money?"

Troy Dangerfield: "It's budgetary. M-O-N-E-Y. It would be fair if I shared some things with you that Director Williams and Wallace who is here knows about. Some of the same things that we are beginning to address here we have talked about it somewhere back, more than a year ago, and I think that we called to the attention of the Chief





that there were no input from people in public housing on their law enforcement, so we have initiated that. I think the first meeting we had, I think we had Cleo Wallace, and myself, and a lieutenant going to, began to talk to the Academy. But I think one of the weaknesses that we haven't gotten around to is that we need to go to in-service training, because there are some people who are beyond the Academy that we haven't been able to reach yet, but we are beginning to address a lot of the problems just like Commissioner Sanchez is saying.

Another thing that's a very chronic problem is the mis-communications, or lack of communications, that not knowing whom to call. Well, we are beginning to address that by working closer with part of the San Francisco Police Department, which is the Communications Network. At the beginning of each watch we let them know how many cars we've got going, but we need to let them know also that...there is an educational process that needs to take place with our clients, our tenants and the police department, letting them know that you don't...you proceed in a certain way when there is some crisis. You see a lot of our clients are not aware that, you know, if you have got some severe crisis don't call the Housing Police, because, you know, your response is....."

Commissioner Murphy: "Troy, do you have any SAFE groups that go in...people from SAFE coming into your Housing Authority in groups?"

Troy Dangerfield: "I am glad you asked that."

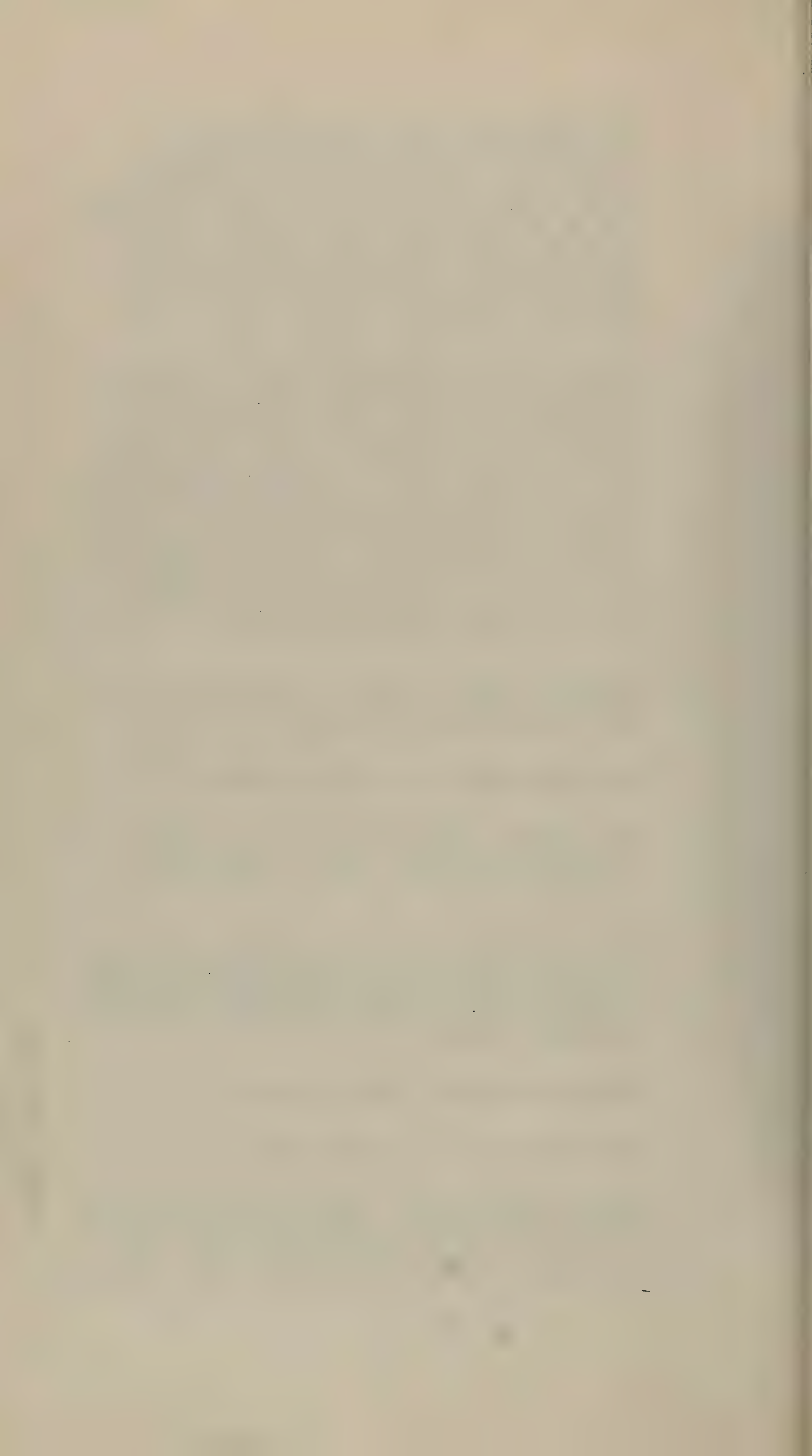
Carl Williams: "We have tried that and everything else that we could put our hands on to try to improve the program. Troy, you may want to elaborate on that."

Troy Dangerfield: "Yes. We've got a pilot program that we call Crime Prevention Technician that is operating just like SAFE, but they are five people who are CETA employees and they are doing some of the same kind of things that SAFE is doing in the private sector."

Commissioner Murphy: "Has it helped at all?"

Troy Dangerfield: "I think it has."

Unknown from Audience: "I don't feel that SAFE has helped in the Projects because everything that they teach is for private housing, not Projects. The security that SAFE teaches does not secure a Project residence. It secures Private residences, and private



buildings, and security buildings but, again, it does not help the Projects. There should be a crime program to particularly help people in projects. But these SAFE programs with all of their movies, and whatever, does not show prevention for projects."

Commissioner Murphy: "Well, maybe there is something that we could develop."

Commissioner Sanchez: "Well, the Chinatown-Northbeach though is a crime prevention project, isn't it, which, basically, all of the people who live there say this is the problem and want some help, and they brought it to your Commission, and your Commission worked with the Department, and now you have it operational, right?"

Unknown from Audience: "We are going through the active crime program, but you are talking about the SAFE?"

Commissioner Sanchez: "Oh no, I wasn't talking, no I was talking about, you know your own project you know, given your own needs, what you feel are worth and that's what that Chinatown-Northbeach Project is, I thought. Or let's see, you have a question?"

Rotea Gilford: "I just want to say a couple of things, I think...It seems to me what is happening, some of us are forgetting, the primary responsibility for the safety of citizens in San Francisco is the San Francisco Police Department. The Housing Police was not created with the intent of providing police protection for project dwellers. The responsibility is still in the same place. I think that is clear, it should be made clear, that if you have an emergency and you are anywhere within the boundaries of San Francisco you call the San Francisco Police Department, not the Housing Police. Now that...now I think that the Chief of Police has no problem in letting his folk know that his people are responsible for the safety of the citizens of San Francisco. The reason why there are only 22, or 24 policemen out there is that they were required, and are required, to do very specific non-police type functions in the projects. Now, the Chief and I talked about this, and a number of Chiefs have talked about it. There are probably nine police departments in San Francisco. All of them purporting to do different kinds of things for different agencies. The Chief has said that he wants to consolidate all of those departments and put them all where they belong. If he has responsibility for it, and let's talk about it, if he has responsibility for the projects out there then he ought to have all of the money, all





of the resources that everybody is spending so that he can provide for you the absolute best services possible out there. Now if you are going to complain about it and you are going to continue to fragment, say 'okay, we are going to spend 3 million dollars for Housing Police, and 3 million dollars for Muni Police, and bust it all up like that all over the city you are going to continue to have these kind of problems. Now if you are talking about realistic goals and things while you are here in a group, I am going to throw that out on the table for you and then I am going to run out of here."

Preston Cook: "Are you proposing abolishing the San Francisco Housing Authority Police Department?"

Rotea Gilford: "I am not proposing abolishing anything. I am proposing that to provide the best police service for people who live in the project that there ought to be some thought given to spending whatever resources that you are spending and not doing the job on asking the police. Spend your \$300,000 dollars...whatever it is you are spending you could spend the 3 million dollars for the Housing Police? Pay him! (Chief.)"

Preston Cook: "It's about 450 thousand."

Rotea Gilford: "I'm just using that as a figure. Say okay, 'I will contract with you to provide absolute first class service for my tenants,' because that's what you are talking about doing."

Commissioner Nelder: "I would just like to speak to that for a second and, again, just in an effort to see if we can come up with the best solution. I think it would be good if it was an umbrella where the Chief was the top man, and the facilities, the training, and all of the things that Troy needs are there. But I think what I hear you saying is you have special problems in the project, and I am not a new kid on the block, I think that I know this so I think it takes a specialist like Troy and a compliment of people up to a point, to treat these problems but when you have an emergency, emergency and you want somebody right now then you have to call that emergency number and you have to get an immediate response because Troy and his people may be over her working on something else when you may have something serious like an assault, or a murder, or a rape, or whatever, over here you want somebody to respond immediately so then you have to call, Gil, the number that you said, the emergency number."



Rotea Gilford: "I heard that, Chief...?"

Commissioner Nelder: "But I think it would be a mistake to take a specialized unit such as the Housing Police and divorce them from the Police Department."

Rotea Gilford: "Chief, I am not talking about divorcing them from the Police Department, I am talking about making them a part of the Police Department. We have specialized units all over the Police Department right now. The Chief is being...specialized units are being forced on him and, you know, are forced on this Commission. You got a specialized unit of Transit Policemen out there, right? That are not doing as an effective job as you would like to have them do according to what they are being taught and that's what I am saying."

Commissioner Nelder: "Yes, I think we are both saying the same thing."

Rotea Gilford: "We are both saying the same thing."

Commissioner Nelder: "In a different way. I think the Chief has to be here showing kind of an umbrella so that whatever Troy needs he had better get...."

Rotea Gilford: "It may even mean giving him some more people."

Commissioner Nelder: "Right."

Rotea Gilford: "Regular policemen. That's what I am saying. I got to run, I threw that out."

Preston Cook: "I want to thank you for bringing that up, I think it's an excellent idea and I think what your comment will do is to bring a whole new dimension to what we are talking about and I think that's important to do."

Commissioner Nelder: "Well, the only thing that I want to add is that there is a certain element of training that I think that your people need Troy that the other Department's have...and I think this has to be conveyed to all of our personnel, but certainly there are times when you don't have an emergency situation and your people can handle it the best."





Commissioner Murphy: "But most of the complaints when you get right down to the nitty gritty are ones the police have to handle. That's assaults, rapes, car thefts, that kind of complaint really are basically what the police have to handle. It's like those special policemen that we have, they are fine up to a point and they can run around and see something going on, but they have to call in a cop to make an arrest."

Chief Murphy: "Okay, yes, I just want to make a couple of brief statements. I know we are running up into our regular Commission Meeting but in the way of the Chief's...and it's already started in one possibly two districts now, we do, in fact, have uniformed San Francisco Police on walking patrols in the Project out on Scott Street. Troy has worked that out with Captain Mucci out there, and that's an on-going thing. As more officers come into the department at 6 and 8 week intervals, and get out on the street, we are going to expand that into the other projects. So you will start to see some foot patrol out in those projects whether they are with Troy's people, or mine, or together. It really doesn't make much difference as long as somebody is out there and they will be out there, I can promise you that. If there is one area in the police department where we have problems, serious problems, it is in Communications. Every meeting, and there is no exception, the problem comes up, and it's Communications. What we are doing right now, we realize there are problems there, serious problems, we are having a consultant come in from the telephone company looking at the equipment that we have. We already know that we have some outdated equipment that came over from the old Hall of Justice. We have some problems there, those are financial things and they can be overcome. We know that there are procedural problems down there, that they are not the greatest, and I know exactly what you are talking about as to all of the questioning, and the call back, and all of that. We are looking at our own procedures, we are sending people out to other departments throughout the state and looking to see if maybe there is a better way of doing it. Just because we do it one way doesn't mean it's the best way, and I think this case clearly proves that. So we are taking some steps to correct those. But I want to tell you that being a communications dispatcher is not the best job in the world. And we have a very high rate of turnover personnel down there. That's also a part of the problem. We have instituted the continuing on-going in-service training for all of the operators, and this is one of the specific things that we will be talking about is sending our cars to the housing projects when the calls come in, don't call the Housing Police. So you brought that up tonight, that will be resolved tomorrow."



Preston Cook: "Well, we don't want to impose on your regular Commission Meeting, and I just want to sum up by thanking you for this opportunity before you and I think we have a....I think we have someone here who wants to say something."

Mrs. Cleo Wallace: "Yes, I am Mrs. Wallace, and I have one concern that I would like to raise. Mr. Gilford mentioned a meeting that occurred between the Housing, the Mayor's Office, and neighborhood peoples, and I believe it was the Deputy Chief of Police in attendance at that meeting that teetotally turned us off. Nobody here mentioned that and we are very concerned when you have your Staff, Chief, come to a meeting and sit through a two or three hour meeting, and they come in watching the clock, and go out the door displaying a, you know, very negative attitude, sit through the whole meeting, never really heard what nobody says is sort of in bad taste. I am saying it because we were really turned off about it. The attitude that we as residents get from some of the police, I think you, as Commissioners, have addressed what you felt in terms of Staff, the Chief of Police, and the Commander here who is one of the City Polices working together. But I think the real question of it is, what do we, as citizens, expect and receive from you? Some of the peoples have got up and walked out making statements that you were talking to yourselves, that's what we have been feeling for the very longest back here is that we are totally turned off and yet you are discussing us and we are left out, and the problems that we are talking about deals with that very negative attitude that too many carry. Everybody can program what's best for us but you are not asking us, you are just sitting up there at the table, and everybody knows that there is a shortage in money, it's a shortage in police, shortage in a number of things in the city, but when it comes down to saving lives, it's out in public housing. It's very bad when I have to call the Commander's Staff and I am aware of how many he has, and I am told to call the Police Department, the Police Department in turn tells me to call the Housing Authority Police. That gets totally confusing. The other side of that coin is when I pick up the phone and call and I get somebody telling me this is a recording, please hold on until you are next in line. I wait 20 minutes and hang up. I call back and the same attitude, I know that you don't want to hear this Chief, but you see I met with you before right around there, before you was the Chief, and we were sort of put off in spots saying that there were a number of things that were going to happen.

Commander talked about the training, I've been out there and I think it needs to be for the record if you are going to deal with training then your new cadets that's coming out there has a kind





of attitude when they are coming out already very afraid of the projects. I think you need to bear those things in mind. Maybe Commander Dangerfield didn't want to deal with that, but I think you need the benefit of knowing we have been there, and we know what they are feeling. They are tee totally afraid. Some of your police are afraid, a lot of them don't live in the city, so when 5 o'clock comes, or whatever time they get, you know, ready to go, they jolly-ho out of this city, and the problem is still there and the only thing we know is we being beat, bumped and knocked and not all of us have did anything to really receive that, but yet when it comes down to who's in this city and what kind of support you want we are asked to do that. Everybody can come out when they need that political backing and nobody is afraid, but here today we are talking about peoples lives, how do we get that kind of communications, you are only concerned with the police communications between the Housing and the City Police, but the reason why you are at the table is because of people that's sitting back here right now and those that are on the outside that have the real problem, and I think you need to deal with those kind of problems. It's good to tell you you got the Mounted Police, it's good to tell you you got them walking on Scott Street, I believe that's what I heard. I was told that those were security guards from CETA so we need to be very clear about who's working what, where, and where you do have police because the ones that I have seen usually walk downtown in very selective neighborhoods, but I have not seen any walking in Potrero, I have not seen any walking in Hunterspoint, I have not seen any walking out in Sunnydale right around McLaren, you know, I am talking about the real issues. I was told that all of you police for the most part of this city have been located right now in the Western Addition, because that's the heaviest area that you have, yet the crime continues to exist there, the problems are there. Those are the kind of issues that we are going to talk about, what the citizens need, how do we resolve a problem so that those of us that call in don't have to do a history book and I don't have to declare Chief, to you, nobody else that I am a black woman and what color my child is. You see you all ain't got the real problem, you all need to deal with us because that's what comes out of your police department. But when people call in about the kids being raped, 'what color is she?' what? These are real issues and we, you know, we sit here and we hear you talk about...I am glad that you going to be able to talk about the training, very glad, but I think that training needs to involve whether your mens are scared to hit the street because everybody can put on a gun and run Johnny-ho, that's happening already, and if that's the mentality of training and the kind they are going to deal with, the Commander ain't going to tell you everything that I am going to say, but I am going to say it because that's what I truly feel and if you want it



you can get it all back here now. Others out there that's the reason why when they see the police come nobody really wants to respond. I don't want my childrens exposed, and that's what other peoples fear.

Commissioner Kuntz has heard us talk about this, Commissioner Burns, the rest of them they know what we feel, but you don't know what we feel. I think that's the difference in it. Thank you."

Preston Cook: "I would just like to respond to one point and I appreciate your comments, but just to make it very clear to the Police Commission that we have two tenant Commissioners here who represent tenants, though Mrs. Wallace is present, she is a former Commissioner, and former President of the Commission, and is head of the PHTA, Public Housing Tenants Association, but two tenants must be appointed to the Housing Authority, so we do have a vehicle...we have more than one vehicle for tenant input, and I think that any decision that we make on cooperation should include, certainly, this Commission, and definitely, the tenants and, definitely the PHTA, but in just summing up I just want to say I appreciate the opportunity to come here and speak, and I am sure all our fellow Commissioners feel the same, and what we would like to do is have both staffs get together fairly, fairly soon and start discussing some details of what we have talked about today so we could come up with some policy, so we could start to solve some of these problems."

Commissioner Murphy: "I think it is an awfully good idea that there be some tenant input into the training of new police officers. It was done with other lifestyle groups, and this certainly would be an important...there is a difference, I know, this I have heard it from Elouise, I have heard it from a lot of people, but anyway, that's neither here nor there, and I would like to see us come back in maybe three or four months time together and have another discussion, but also plan to include some discussion from the group assembled as well."

Commissioner Nelder: "Well, if we are going to do that, why don't we meet periodically and see what the progress is?"

Carl Williams: "I was going to suggest that Chief that perhaps you and your Commission, if we could set up a regular schedule, maybe once every two months or something like that, when two Commissioners could meet, and I certainly think that one of the items we all are in agreement on three or four areas here, it is just a matter of putting those down into some policies and making them part of the regular





operating procedures, both with the Police Department on the one hand and the Housing Authority and making it understood by the residents in public housing too."

Commissioner Sanchez: "Perhaps you might consider this also, too, if I may interject at this point, regarding future meetings, and that would be to not only meet between ourselves, but also to sit and listen as the various people come and give their views, their recommendations about how we could maximize services, and at the same time still have a progress report about what has happened since this meeting. So this way there is a continual dialogue at the same time we go over and listen to your meetings, and also their concerns rather than just sit as two formal Commissions interacting with their staff. But this is a very important first, and this is what we wanted to thank you for. Okay, so maybe some time next month we could schedule a meeting, and if, perhaps, there if you have like, just police services as the main agenda item, and we could be invited and sit and listen along with the Chief and Staff."

Elouise Westbrook: "Dave, one of the things is that everybody over across there don't have that voice that I have and so some of the people left because they felt like that you did not want them to hear what the Commission, or the Policemen were saying, even the Chief, and the Chief has a microphone in front of him. It's just that your voices are so low, a lot of people, they left because they didn't hear you, next time, next time I know you want them to feel like they can have that communication and be closer, so next time maybe it might be a good idea if we sit here, and you sit there, so that you can speak louder for the people in the audience to hear."

Commissioner Sanchez: "The last thing I wanted to say was this, Commissioner Toler just came in and I want you to meet him and we would like to thank you very much for coming and we apologize for not having adequate time, but at least now we know it's a first shot and you will reciprocate next month, and we will hopefully be invited to a meeting there."

21 JANUARY 1981

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 21, 1981 at 1700 hours in regular session.



PRESENT: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

Commissioner Sanchez presiding.

The Commissioners, having received, amended and returned copies of the minutes of the meeting of December 10, 1980, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

2350 POST STREET - MEDICAL OFFICES

- a) At 2350 Post Street, install a 22' blue zone, extending from 24' to 46' west of east property line.

1600 FLORIDA STREET - SAM'S MARKET

- a) At 1600 Florida Street, install a 22' green zone, extending from south building line 22' north of same.

1745 FOLSOM STREET - DEPENDABLE DELIVERY SERVICE

- a) At 1745 Folsom Street, install a 22' yellow zone, extending from 24' to 46' north of south building line.

417-14th STREET - THE FABRIC PRINTERS

- a) At 417-14th Street, install a 22' yellow zone, extending from 9' to 31' west of east property line.
- b) Meter #409 to be removed.





701 GRANT AVENUE - BANK OF AMERICA

- a) At 701 Grant Avenue, install a 44' white zone, extending from 3' to 47' north of south property line.

1958 VALLEJO STREET - 1958 VALLEJO (CONDOMINIUM) - DENIED

- a) At 1958 Vallejo Street, install a 22' white zone, extending from west property line 22' east of same. DENIED.

184 WELCH - DAVE RADULL - REVOKED

- a) At 184 Welch, revoke existing 30' of existing yellow zone, extending from east end of zone 30' west of same.

809 HYDE STREET - GRANADA HOTEL - REVOKED

- a) At 809 Hyde Street, revoke 30' yellow zone, extending from 65' to 95' north of Sutter Street.

2336 WEBSTER STREET - S.F.P.D. - REVOKED

- a) At 2336 Webster Street, revoke existing 25' yellow zone, extending from north property line 25' south of same.

11 PHELAN - S.F.P.D. - REVOKED

- a) At 11 Phelan, revoke existing 40' green zone, extending 40' north of south building line.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 125 feet of green and yellow zones, at the parts of the City, at the locations submitted, be, and the same are



hereby approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 33-81

LORETTA SANTOS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Loretta Santos against the City and County of San Francisco in the sum of \$105.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 2, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 34-81

CARLOS VILCHEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carlos Vilchez against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 14, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 35-81

J & H AUTO WRECKING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim





of the J & H Auto Wrecking against the City and County of San Francisco in the sum of \$130.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 31, 1980 through  
November 21, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 36-81

PETER BORITZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Peter Boritz against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 17, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 37-81

HECTOR GOMEZR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Hector Gomezr against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 29, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 38-81

BARBARA ROBERTS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Barbara Roberts against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 4, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 39-81

J & H AUTO WRECKING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the J & H Auto Wrecking against the City and County of San Francisco in the sum of \$70.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 5, 1980 through  
September 19, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 40-81

J & H AUTO WRECKING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the J & H Auto Wrecking against the City and County of San Francisco in the sum of \$70.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 7, 1980 through  
October 14, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez





RESOLUTION NO. 41-81

J & H AUTO WRECKING .

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the J & H Auto Wrecking against the City and County of San Francisco in the sum of \$125.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 6, 1980 through  
November 24, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 42-81

FRED S. JOHNSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Fred S. Johnson against the City and County of San Francisco in the sum of \$8,000.00 in Municipal Court Action No. 796 689 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 28, 1979

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 47-81

CORNELIUS P. MURPHY, CHIEF OF POLICE

RESOLVED, that Cornelius P. Murphy, Chief of Police, is hereby authorized to attend the Fourth Annual Conference of the California Police Chief's Association in Santa Cruz, California, from February 4, 1981 through February 7, 1981, inclusive.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 43-81

AUTHORIZING ATTENDANCE OF POLICE OFFICER CHARLES C. COATES, POLICE RANGE, AT THE ARMORERS' SCHOOL, AT SPRINGFIELD, MASSACHUSETTS, FROM FEBRUARY 22, 1981 TO MARCH 7, 1981

RESOLVED, that the recommendation of the Chief of Police that Police Officer Charles C. Coates, Police Range, be detailed to attend the Amorerers' School, at Springfield, Massachusetts, from February 22, 1981 to March 7, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officer Charles C. Coates, Police Range, in a sum not to exceed \$1,330.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 44-81

AUTHORIZING ATTENDANCE OF INSPECTOR GEORGE E. MATELLI, INTELLIGENCE UNIT, AND POLICE OFFICER JEREMIAH MORGAN, TACTICAL DIVISION, AT AN EXPLOSIVE ORDNANCE REFRESHER COURSE, AT HUNTSVILLE, ALABAMA, FROM FEBRUARY 1, 1981 TO FEBRUARY 6, 1981

RESOLVED, that the recommendation of the Chief of Police that Inspector George E. Matelli, Intelligence Unit, and Police Officer Jeremiah Morgan, Tactical Division, be detailed to attend an Explosive Ordnance Refresher Course, at Huntsville, Alabama, from February 1, 1981 to February 6, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspector Matelli and Officer Morgan, in a sum not to exceed \$1,055.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez





RESOLUTION NO. 45-81

AUTHORIZING ATTENDANCE OF THIRTY-FIVE (35) PERSONNEL OF THE FIELD OPERATIONS BUREAU, PATROL DIVISION, AT A FIELD TRAINING SEMINAR AT SANTA CRUZ, CALIFORNIA, FROM FEBRUARY 8, 1981 TO FEBRUARY 13, 1981

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RESOLVED, that the recommendation of the Chief of Police that thirty-five (35) personnel of the Field Operations Bureau, Patrol Division, be detailed to attend a Field Training Officer Seminar, at Santa Cruz, California, from February 8, 1981 to February 13, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the thirty-five (35) personnel of the Field Operations Bureau, Patrol Division, in attending this seminar in a sum not to exceed \$10,000.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 46-81

AUTHORIZING ATTENDANCE OF SERGEANT THOMAS BLACKWELL, TACTICAL DIVISION-CANINE UNIT, AT A POLICE K-9 CERTIFICATION TRAINING COURSE, AT RIVERSIDE, CALIFORNIA, FROM JANUARY 19, 1981 TO JANUARY 30, 1981

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RESOLVED, that the recommendation of the Chief of Police that Sergeant Thomas Blackwell, Tactical Division-Canine Unit, be detailed to attend a Police K-9 Certification Training Course, at Riverside, California, from January 19, 1981 to January 30, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Thomas Blackwell, in a sum not to exceed \$1,050.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez



POLICE COMMISSION REPORT

Commissioner Murphy said that she felt today would have been a good time to have Lieutenant Thorsen, or some of his Staff from the Community Relations Unit, present at the Special Meeting between the Police Commission and the Housing Authority Commission earlier today. She said that the Police Community Relations should become more and more involved in community concerns, also she said she had read a small article in the newspaper where it said San Francisco Latinos to help gays patrol streets and, thereafter, had attended a meeting of the Alice B. Toklas Club where Lieutenant Thorsen was present. She said it appeared to her that that would have been a good time for the Lieutenant to bring that subject matter forth as a topic of discussion.

Commissioner Daly requested to speak on that issue and said that the article Commissioner Murphy was speaking of had been printed prematurely. She said many organizations in the Mission District had held meetings during which time this plan was introduced by professional persons from the Staff at San Francisco State University. She said Lieutenant Thorsen had been attending those meetings, was well aware of what was going on, and just as she would not have gotten up and spoke about this plan at the Alice Toklas meeting, she did not feel it would have been appropriate for him to speak about it at that time either.

She said she would ask Mr. Bill Paul, who is a member of the sub-committee of the Inner Group Clearing House, to come to the Commission's next meeting and give a brief overview of the plan which involves coordination of many youth community projects.

Commissioner Sanchez then said that on behalf of the Commission he would like to thank Commissioner Daly for her unique perserverance in spending many, many hours, both as a Commissioner and as a resident, in resolving, and working with a very diverse, initially fragmented community.

He said many of the district organizations have held on-going meetings which produced a very positive relationship and as Commissioner Daly had said that in the beginning meetings were one of a contingency of diversionary groups but now they are getting into the finality of the commonality of objectives.





CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy said he had no report tonight but he would be happy to answer any questions the Commissioners might have.

Commissioner Murphy asked, in relation to the meeting the Commission had earlier today with the Housing Authority Commission that when the Department comes up to full strength would the Department be able to do more for the people in public housing?

Chief Murphy said it would, and like he had said before that the Department had been going through a difficult period in trying to get officers into the street and right now that is about to occur. He said there are approximately 64 beats throughout the City and there is about 33% coverage, and as the goals of the Consent Decree are met, the Department will be able to provide maybe 100% coverage on those beats. He said when that is done then the Department can incorporate the patrol right into the Housing Projects.

Commissioner Sanchez then called for item #10 to be called out of order.

RESOLUTION NO. 49-81

REQUEST OF MRS. ELIZABETH MEIER FOR PERMISSION TO SUSPEND OPERATION OF HER JITNEY BUS PERMIT FROM DECEMBER 23, 1980 TO JANUARY 15, 1981.

WHEREAS, Mrs. Elizabeth Meier has requested that permission be granted to suspend operation of her Motor Vehicle for Hire Permit from December 23, 1980 to January 15, 1981; and

WHEREAS, Mrs. Meier appeared in person and presented oral testimony in support of her request; therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Mrs. Elizabeth Meier for permission to suspend operation of her Motor Vehicle for Hire Permit from December 23, 1980 to January 15, 1981, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



AMENDING SECTION 10.116 OF THE SAN FRANCISCO  
ADMINISTRATIVE CODE TO INCREASE THE SIZE OF  
THE GIFT DEPARTMENTS ARE AUTHORIZED TO RECEIVE.

Deputy Chief Shannon stated that currently the ordinance allows the Chief to receive a gift of \$1,000 dollars or less, and a gift given to the Police Department in excess of that amount the Police Commission must, by Resolution, request that the Board of Supervisors permit the acceptance of said gift. He said if tonights resolution is passed, it would permit the Chief to accept a \$10,000 dollar gift for the Department. He said with inflation as it is, it is a reasonable amount of money, and with the new program, "Friends of the Police," it is hoped the Department will be receiving donations in that amount of money.

Commissioner Murphy said she would like to introduce an accompanying motion for the protection of the Chief that would read thusly, "In receiving gifts, offers of gifts that the direction of the Department be that the Chief receiving, or making the decision to receive the gift that that gift be approved for acceptance by the Police Commission."

Commissioner Nelder seconded this motion and it was unanimously approved.

RESOLUTION NO. 48-81

AMENDING SECTION 10.116 OF THE SAN FRANCISCO  
ADMINISTRATIVE CODE TO INCREASE THE SIZE OF THE  
GIFT DEPARTMENTS ARE AUTHORIZED TO RECEIVE.

WHEREAS, as presently stated, Section 10.116 of the San Francisco Administrative Code authorizes department heads to accept gifts of cash or goods of market value not to exceed \$1,000; and

WHEREAS, the police department has been offered several gifts, the value of which exceed this limit, and the receipt of which would greatly benefit the citizens of the City and County of San Francisco; and

WHEREAS, an increase in the value of gifts which may be received under Section 10.116 will expedite the receipt and utilization of gifts valued over \$1,000; and





WHEREAS, the effect of inflation has made the value of many gifts offered to the police department exceed the \$1,000 limit contained in the Administrative Code; therefore be it

RESOLVED, that the Police Commission hereby requests that the Board of Supervisors adopt the attached proposed ordinance which amends Section 10.116 of the San Francisco Administrative Code.

(Copy on file in the Office of the Police Commission.)

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 54-81

NOTIFICATION OF REVOCATION OF MOTOR VEHICLE FOR HIRE PERMIT - CONTINUED TO FEBRUARY 4, 1981

WHEREAS, the Police Commission notified Mr. Felix DeCourt that it would conduct a hearing on January 21, 1981, to determine whether it should direct the Police Department to revoke his permit and/or license, for abandonment of his jitney bus business; and

WHEREAS, Officer Lamont Suslow, Permit Bureau of the San Francisco Police Department, stated that he had been in touch with Mr. Curtis Oler, Attorney at Law, and Mr. Oler advised that he and Mr. DeCourt are going to arbitration with the insurance company in an attempt to obtain a settlement which would enable Mr. DeCourt to resume operation of his jitney bus operation; therefore be it

RESOLVED, that the Police Commission does hereby grant Mr. Felix DeCourt a continuance in this matter to Wednesday, February 4, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez



RECEIPT OF PROPOSED GENERAL ORDER REGULATING  
THE SECONDARY EMPLOYMENT OF MEMBERS. (COPIES  
SENT TO EMPLOYEE ORGANIZATIONS) - CONTINUED TO  
FEBRUARY 11, 1981.

Deputy Chief Shannon said the Police Officers' Association is in the midst of an election and has indicated they would like to meet with him prior to the adoption of this item and item #9. He said he would hope for the second Wednesday in February when the election may be concluded.

Items 8 and 9 were then continued to February 11, 1981.

RECEIPT OF PROPOSED GENERAL ORDER ESTABLISHING  
QUALIFICATIONS FOR MEMBER'S ASSIGNMENT TO HAZARDOUS  
WORK UNITS. (COPIES SENT TO EMPLOYEE ORGANIZATIONS) -  
CONTINUED TO FEBRUARY 11, 1981

RESOLUTION NO. 50-81

AUTHORIZING THE SAN FRANCISCO POLICE DEPARTMENT  
TO ACCEPT A GIFT FROM MR. DONALD BRUSCO OF A HORSE  
THE VALUE OF WHICH IS APPROXIMATELY FIVE THOUSAND  
(\$5,000) DOLLARS.

WHEREAS, Mr. Donald Brusco has made a most generous offer to donate a horse to the San Francisco Police Department; and

WHEREAS, the donor has fixed the value of the horse at five thousand (\$5,000) dollars; and

WHEREAS, the San Francisco Police Department has a need for a horse for the Mounted Unit; and

WHEREAS, Section 10.116 of the San Francisco Administrative Code authorizes the head of a department to accept gifts up to a value of one thousand (\$1,000) dollars; and

WHEREAS, in order to accept a gift of a value greater than one thousand (\$1,000) dollars, authorization must be received from the Board of Supervisors; therefore be it





RESOLVED, that the Police Commission hereby requests the Board of Supervisors to adopt the attached Resolution of the Board of Supervisors which authorizes the Chief of Police to accept the gift of a horse, valued at five thousand (\$5,000) dollars, on behalf of the San Francisco Police Department, for use in the Police Department Mounted Unit, from Mr. Donald Brusco of Hillsborough, California.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 51-81

HEARING OF POLICE OFFICER JOSEPH F. ENGLER,  
MISSION POLICE STATION

WHEREAS, the date for the hearing of the disciplinary charges filed against Police Officer Joseph F. Engler, Mission Police Station, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. George J. Engler, Attorney for Police Officer Joseph F. Engler, that the date for the hearing before the Police Commission be continued until after the criminal matter against Police Officer Joseph F. Engler has been adjudicated; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Joseph F. Engler, Mission Police Station, is set for Wednesday, March 4, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 53-81

REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO COVER  
THE ADDITIONAL FUNDS NECESSARY FOR DEPARTMENTAL  
RECRUIT TRAINING.

RESOLVED, that the Police Commission hereby approves the Supplemental Appropriation



to cover the additional funds necessary for departmental recruit training.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 52-81

RECRUIT OFFICER JERALD L. FRETZ, SUPPORT SERVICES  
BUREAU-COMMUNICATIONS DIVISION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Recruit Officer Jerald L. Fretz, Support Services Bureau-Communications Division, as follows:

SPECIFICATION NO. 1

Neglect of Duty and Conduct which tends to subvert the good order, efficiency and discipline of the department and which reflects discredit upon the department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to maintain patient decorum and command of temper. (Violation of Section 2.35 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to obey a lawful order of his superior officer. (Violation of Section 2.45 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Unofficerlike conduct bringing discredit upon the San Francisco Police Department and its members.



(Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

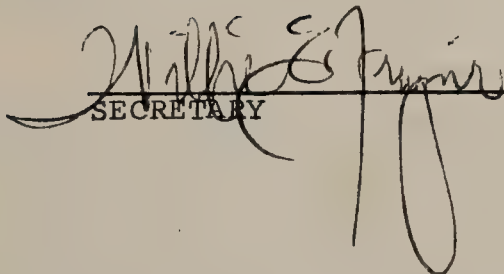
RESOLVED, that the date for the hearing before the Police Commission on charges filed against Recruit Officer Jerald L. Fretz, Support Services Bureau-Communications Division, be, and the same is hereby set for Wednesday, January 28, 1981, at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Murphy: "I move for adjournment in honor of, and joy, and great feelings of comfort, that our former hostages have returned safely to the United States and in addition - our respectful thanks to former President Carter for making this possible."

Commissioner Sanchez: "I would just like to add a very important part that we were discussing before and also in memory of the eight (8) men who gave their lives in the pursuit of freeing the hostages."

The Commission then adjourned its meeting at 6:09 p.m.

  
\_\_\_\_\_  
SECRETARY





28 JANUARY 1981

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 28, 1981 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

Commissioner Sanchez presiding.

The Commissioners, having received, amended and returned copies of the minutes of the meeting of December 17, 1980; reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RECOMMENDATION OF THE TRAFFIC BUREAU

Commissioner Nelder asked Sergeant Newlin of the Traffic Survey Unit to explain all those revocations on Stockton Street.

Sergeant Newlin said that, basically, it is to implement the Transit Preferential Street Program that is being implemented on Stockton, that will run from Broadway all the way down to Market Street. He said Stockton has been targeted as one of the most congested streets in the City and as also a main Transit Line.

He then introduced Mr. Glenn Erickson, President of the Transit Preferential Street Coordinating Committee of City Planning and Mr. Burton Lee, President of the Stockton Street Merchants Association, to explain and answer any questions as to the implementation and the effect on the community. He continued by saying that there are also individuals here from that area that object to the plans.

He said the plan is to consolidate all loading facilities in one area and all short term parking in another area. Bus stops, he said, are being moved to mid-block and this will be a 5 month implementation without the diamond lane, and then after 5 months the actual diamond



lane will be installed if studies show no appreciable increase in transit movement.

Mr. Erickson then spoke to the Commission on the specifics of the Plan. He said their feeling is that the white zones in Chinatown are not being used as they are intended and that they are being basically used as parking for whomever gets to them first. He said they had worked out an accommodation with the Catholic School, and also with the Presbyterian Day Care Center where there can be, in effect, a white zone for a part of the time when they need it and that is in the morning and in the afternoon when the parents come to pick up their children or drop them off, and the rest of the time there would be meters in effect there.

He said they have done their best so far and that they would be willing to make more accommodations to accommodate all the different needs.

The speakers who were for, or against the proposal were requested by Commissioner Sanchez to come forth and identify themselves, and indicate whether they were for, or against, the plan.

Mr. Jack Jere: In opposition to the plan, representing 901, 903, 905, and 915 Stockton Street.

Mrs. Jack Jere: In opposition to the plan, representing St. Mary's School.

She said, in discussing this with the Priest she found he knew nothing about the yellow zones. She said, however, he knew about the white zones. She said the big trucks parking in that area in those yellow zones presents a hazard for the small kids when crossing the streets. She said there are three schools in that 900 block of Stockton Street that would be affected, St. Mary's, The Freedom School and The Commodore.

Mr. Burton Lee, President of the Stockton Street Chinatown Merchants and Property Owners Association:

He said he would hope the Commission approve this Plan because their Association fought very hard to get it to where it is right now.

After listening to further discussion, the Commission entertained a motion which was to approve the plan for 90 days and that a report, in 90 days, be made to the Commission and, hopefully, all interested parties, present or not present tonight, would appear at that time to tell the Commission whether the Plan is, or is not, working out.





Commissioner Nelder, in presenting this motion, said that his concern was the same as Mrs. Jere's in that he had a problem with the little children walking out from behind the trucks and parked vehicles into on-going traffic. He said he hoped that there would be a study made to show that the Department would be doing the best it possibly could in the interest of safety to the children.

The motion was seconded by Commissioner Murphy and unanimously approved.

The entire Consent Calendar was then unanimously approved.

Commissioner Murphy then told Sergeant Newlin that Traffic Item #1 should be looked into also for a clarification, and that the next item, An Association Office Book Store on Vallejo, should also be looked into.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning, for the regulation of traffic on the public streets, be, and the same are hereby approved:

2018 LOMBARD STREET - RISTORANTE DA LUCIANO

- a) At 2018 Lombard Street, install a 25' green zone, extending from east property line 25' west of same.

1772 VALLEJO STREET - INTERNATIONAL TRANSACTIONAL ANALYSIS ASSOCIATION

- a) At 1772 Vallejo Street, install a 44' green zone, extending from west building line 44' east of same.

1758 STOCKTON STREET - ELLISION ENTERPRISES INC.

- a) At 1758 Stockton Street, install a 22' yellow zone, extending from north property line 22' south of same.



810 CAPP STREET - COMMUNITY MENTAL HEALTH  
CENTER

- a) At 810 Capp Street, install a 22' blue zone, extending from north property line 22' south of same.

856 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 856 Stockton Street, revoke existing 44' yellow zone, extending from 33' to 77' south of Clay Street.

867 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 867 Stockton Street, revoke existing 56' white zone, extending from north building line 56' south of same.

898 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 898 Stockton Street, revoke existing 21' white zone, extending from 12' to 33' south of Clay Street.

901 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 901 Stockton Street, revoke existing 18' yellow zone, extending from 18' to 36' north of Clay Street.

902 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 902 Stockton Street, revoke existing 44' white zone, extending from 16' to 60' north of south property line.

910 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 910 Stockton Street, revoke existing 30' white zone, extending from 102' to 132' north of Clay Street.

925 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 925 Stockton Street, revoke existing 25' white zone, extending from 94' to 119' north of Clay Street.



946 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 926 Stockton Street, revoke existing 22' white zone, extending from 80' to 102' south of Washington Street.

947 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 947 Stockton Street, revoke existing 36' yellow zone, extending from 28' to 64' south of Washington Street.

1001 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 1001 Stockton Street, revoke existing 20' white zone, extending from 21' to 41' north of Washington Street.

1024-1032 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 1024-1032 Stockton Street, revoke existing 44' yellow zone, extending from 99' to 143' north of Washington Street.

1037 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 1037 Stockton Street, revoke existing 20' yellow zone, extending from 7' south to 23' north of the south building line.

1041 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 1041 Stockton Street, revoke existing 39' yellow zone, extending from 82' to 121' south of Jackson Street.

1044 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 1044 Stockton Street, revoke existing 46' white zone, extending from south line of the building.

1045 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 1045 Stockton Street, revoke existing





20' STLZ, extending from 65' to 85'  
south of Jackson Street.

1068-1070 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 1068-1070 Stockton Street, revoke existing 20' yellow zone, extending from 14' to 34' south of Jackson Street.

1195 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 1195 Stockton Street, revoke existing 33' yellow zone, extending from 61' to 94' south of Pacific Avenue.

1199 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 1199 Stockton Street, revoke existing 22' yellow zone, extending from 34' to 56' south of Pacific Avenue.

1217 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 1217 Stockton Street, revoke existing 21' yellow zone, extending south of north building line.

1239 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 1239 Stockton Street, revoke existing 22' white zone, extending south from north property line.

1200 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 1200 Stockton Street, revoke 35' of existing 75' yellow zone, (STLZ), beginning from 49' to 84' north of Pacific Avenue, First 14' to be converted to Bus Zone, and 21' to have 15 minute meter. Leave 40' of yellow STLZ zone.

1049-59 STOCKTON STREET - S.F.P.D. - REVOKED

- a) At 1049-59 Stockton Street, revoke existing 48' yellow STLZ, extending from 20' to 68' north of Jackson Street, west side.



1300 BLOCK STOCKTON STREET - S.F.P.D.

- a) In 1300 block of Stockton Street,  
install an 80' yellow STLZ, extending  
from 18' to 98' north of Broadway.
- b) On east curb - sign on Meter to read  
7 A.M. to 1 P.M.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler

REVOKED

RESOLVED, that the recommendation of  
the Traffic Bureau on the revocation of 648 feet  
of white and yellow zones, at the parts of the  
City, at the locations submitted, be, and the  
same are hereby approved.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 55-81

MARGARET M. DONNELLY

RESOLVED, that the recommendation of  
the City Attorney for settlement of the claim  
of Margaret M. Donnelly against the City and County  
of San Francisco in the sum of \$35.00 as the re-  
sult of a faulty tow, be, and the same is hereby  
approved.

Date of Incident: November 19, 1980

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler





RESOLUTION NO. 56-81

JAMES L. BATTLES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James L. Battles against the City and County of San Francisco in the sum of \$45.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 26, 1980

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 57-81

COURTESY TOW SERVICE

RESOLVED, that the recommendation of the City Attorney for the settlement of the claim of the Courtesy Tow Service against the City and County of San Francisco in the sum of \$30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 3, 1980 through  
December 9, 1980

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 58-81

VERONICA T. DANIEL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Veronica T. Daniel against the City and County of San Francisco in the sum of \$35.00 as the re-



sult of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 4, 1980

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 59-81

DANIEL BENJAMIN BORSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Daniel Benjamin Borson against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 2, 1980

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 60-81

J & H AUTO WRECKERS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the J & H Auto Wreckers against the City and County of San Francisco in the sum of \$60.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 7, 1980 through  
November 12, 1980

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler



RESOLUTION NO. 61-81

FRANCISCO A. MURCIA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Francisco A. Murcia against the City and County of San Francisco in the sum of \$40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 1, 1980

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 62-81

GEORGE OLVERA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of George Olvera against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 28, 1980

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 64-81

PATRICE METZLER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Patrice Metzler against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 29, 1980

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler





RESOLUTION NO. 63-81

SALLIE LEE PETERSON

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Sallie Lee Peterson in the sum of \$5,000.00 in Superior Court Action No. 766-390, entitled Sallie Lee Peterson, et al, vs. City and County of San Francisco, et al., " as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 13, 1980

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 65-81

WILLIAM HENRY SMITH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William Henry Smith against the City and County of San Francisco in the sum of \$350.00 in Superior Court Action No. 698 379 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 16, 1975

AYES: Commissioners: Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 66-81

AUTHORIZING ATTENDANCE OF LIEUTENANT HENRY WILLIAMS, INVESTIGATIONS BUREAU, AND SERGEANT MORGAN PETERSON, JUVENILE BUREAU, AT THE EIGHTH NATIONAL CONFERENCE ON JUVENILE JUSTICE AT SAN FRANCISCO, CALIFORNIA, FROM FEBRUARY 8, 1981 TO FEBRUARY 12, 1981.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Henry Williams, Investigations Bureau, and Sergeant Morgan Peterson, Juvenile Bureau, be detailed to attend the



Eighth National Conference on Juvenile Justice at San Francisco, California, from February 8, 1981 to February 12, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Henry Williams and Sergeant Morgan Peterson, in a sum not to exceed \$220.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

HEARING OF RECRUIT OFFICER JERALD L. FRETZ,  
POLICE ACADEMY

Mr. Robert Martin of the Legal Office, stated that he had spoken to Mr. Bob Barry of the Police Officers' Association, who is representing Officer Fretz, and that Mr. Barry and he agreed upon a two to three week continuance.

The Commission then scheduled the hearing for February 18th.

RESOLUTION NO. 70-81

RECRUIT OFFICER JERALD L. FRETZ, SUPPORT SERVICES  
BUREAU-COMMUNICATIONS DIVISION

WHEREAS, the hearing of Recruit Officer Jerald L. Fretz, Support Services Bureau-Communications Division, was called, it having been set for this date; and

WHEREAS, Mr. Robert Martin, Prosecuting Attorney, and Mr. Robert Barry, President, San Francisco Police Officers' Association, concurred in continuing this matter to February 18th, 1981; therefore be it

RESOLVED, that the request of Mr. Robert Martin and Mr. Robert Barry, for a continuance in this matter, be, and the same is hereby approved and continued to Wednesday, February 18, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler





POLICE COMMISSION REPORT

Commissioner Murphy mentioned several items in which she desired to have discussion. Those items were: 1) Public Convenience and Necessity Hearings for the issuance of Taxicab Permits and that a response had been requested of the City Attorney for criteria to be used in these hearings. She was advised that Deputy City Attorney Mr. Steven Diaz had been contacted by mail through City Attorney George Agnost, and also by personal telephone contact, and that he had promised to comply with the Commission's request.

Commissioner Sanchez then added that he would hope that the Department would also look at the new criteria published by the Airport Commission regarding the operation of taxicabs out at the San Francisco International Airport.

Commissioner Murphy said she had one other thing, and that was the Index of Policies and Procedures published by the Department.

Deputy Chief Shannon advised that the Department, from time to time, revise the process of issuing orders in the Department. He said the system now in effect is basically the same as the old Permanent Orders System. He said what it does is give the Department the capability of keeping the Rules and Procedures up to date. He said it would allow for the updating of Rules, specific rules of conduct and other procedural rules that the Department may feel need updating.

Commissioner Daly then spoke of a discussion held by the Commission at last week's meeting. She said that some movement had begun by communities that had been meeting for several months now to address the issue of violence in the city. She said it was the first project that the Inner Group Clearing House Committee took a look at, and last Wednesday was the first time that a plan was presented to the Committee to have a good look at. She said she felt it would be extremely appropriate for the Commission, and the Chief, to be informed about this plan and because of that she invited Dr. Bill Paul, a professor out at San Francisco State University, who has worked with a number of people in the community to give the Commission, and Chief, an overview of the plan.

At this point the Chief interrupted and stated that Mr. Bill White of the Chamber of Commerce, was present tonight to make the presentation of Officer of the Month, monthly award, and with the Commission's permission he would like to move the



agenda to item #5 at this time to allow for this presentation.

CHIEF'S REPORT TO THE POLICE COMMISSION

Mr. White said that he was pleased to give this recognition again this month and, as usual, he would present to the officer a handsome picture of San Francisco. He said the picture itself was taken especially for the Chamber of Commerce and wound up on the cover of San Francisco Business Magazine, and that there are some awards associated with it, so it is rather special. He said the plaque states "In appreciation of William Daher, Officer of the Month, January 1981 the San Francisco Chamber of Commerce." He continued by saying that there are some other things that go along with this and that he would like for Officer Daher to accept a dinner for two at one of the Phil Lehr Restaurants and there is also a weekend for two at Lake Tahoe.

Commissioner Sanchez said the Commission would like to thank all parties especially the Chamber of Commerce for taking time to thank our Officers who have performed outstanding service over the months and many years. He then said to Officer Daher that he wished to congratulate him on behalf of the Commission for his outstanding work and for this particular tribute, also that he is a credit to the Department, and the Commission is very proud of him.

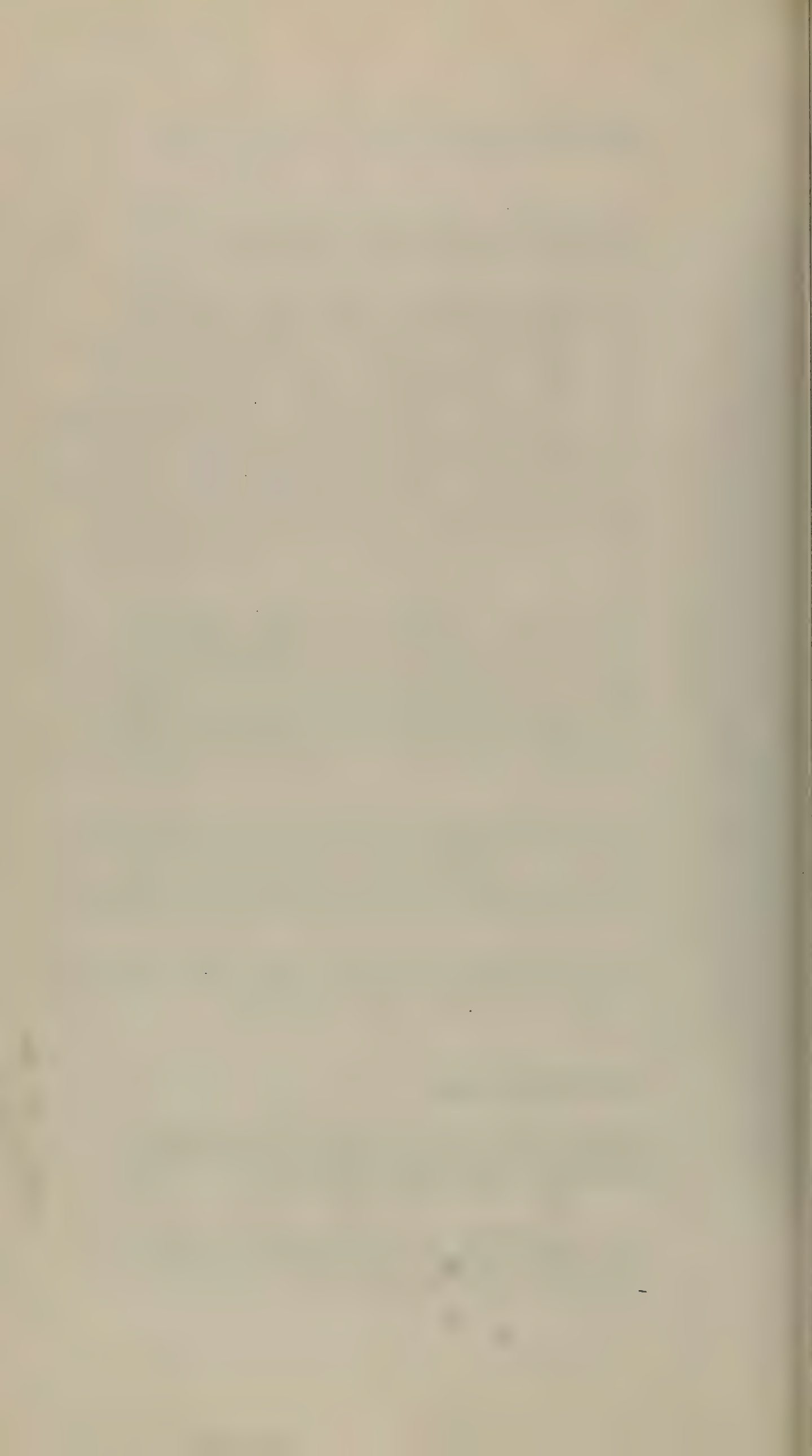
The Chief then gave the statistics that contributed to the selection of Officer Daher for the award. He said for the first 8 months, Officer Daher made 179 arrests, he wrote 229 moving violation citations, 214 other traffic violations, and his attendance was 151 days, which is almost 100%.

After the presentation Commissioner Sanchez requested to pull out of order agenda item #8.

RESOLUTION NO. 68-81

REQUEST OF MR. JORGE J. GRANERA FOR PERMISSION TO SUSPEND OPERATION OF HIS JITNEY BUS PERMIT FROM JANUARY 13, 1981 TO APRIL 13, 1981.

WHEREAS, Mr. Jorge J. Granera has requested that permission be granted to suspend operation of his Motor Vehicle for Hire Permit from January 13, 1981 to April 13, 1981; and





WHEREAS, Mr. Granera appeared in person and presented oral testimony in support of his request; therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Mr. Jorge J. Granera for permission to suspend operation of his Motor Vehicle for Hire Permit from January 13, 1981 to April 13, 1981, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

The Commission then returned to item #4, Dr. Bill Paul, who continued with his presentation.

He introduced two of his colleagues who were also present, Mr. Bob Perulie, Director of Counseling at Centro De Cambio, an organization that has been active in the Mission District, especially with kids from 10 years, and Mr. Gene Royall, a faculty member at San Francisco State University, who is also the Executive Director of Centro De Cambio.

Dr. Paul said the program is directed to the Mission/Castro area which is an ideal place for a pilot study. He said the program's services consist of Mobile Service Teams which move around in a given area and help people with such things as accidents, setting out flares, or calling an ambulance, when needed for the injured. He said a youngster coming into the service would go on a time-limited appointment similar to that for Civil Defense Personnel. He said they would be assigned to Mobile Team service, or maybe stay in Communications, and then to Event Monitor Teams which may be utilized during protest marches, or the like. He said also these people would be useful if there were an earthquake, or any situation requiring public services where people would be needed who were very dependable and who could be held accountable for their actions.

He continued by saying that finally Crime Prevention and Education, in which they want to do a lot of things, symbolically to demystify people about stereotype groups. He said all groups in the city would be, to a certain extent, studied, and people would learn something about other people. He said the basic idea would be to reduce threat, or suspicions, that certain groups will react violently towards others. He said they would also produce educational materials. They have, he said, a





collateral program at San Francisco Stated called C.A.S.T., Community Action Service Theater people, who are prepared to go into the schools at the 4th, 5th and 6th grade levels, and teach youngsters something about the program.

He said when you have people who are serving the community, who are involved in a variety of things where it gives them legitimacy then the program becomes effective. He said the best example he could close with would be, for instance, in Mission Dolores Park on a hot summer day you might have a couple of the Teams just sitting around playing with kids, throwing frisbees, doing fingerpainting and when trouble starts, or a fight has to be broken up, they can come up and say something with an image an identity as the guys who play with the kids, or the women who help out with the kids. He said he felt that that provides mediation and legitimacy of a kind to help prevent violence.

After further discussion Commissioner Sanchez said that he felt the concept was excellent but operationally they were going to have navigation problems. He said that they would have to really be careful about how, in fact, they navigate the institutions and community organizations. He said they should use the people who are creditable, who have been on the firing line, and who has access to many other networks. He said if there is any way the Commission, or Department, can support it as far as training or supportive services, the Commission would be more than happy to sit down and respond in a positive manner.

Thereafter the Commission conducted among themselves and in-depth discussion of the program.

Commissioner Sanchez then mentioned one more item under this report, and stated that Channel 6 had requested the Commission to have Police Commission Meetings at its headquarters on Folsom Street. He said his initial response is that Police Commission Meetings are public meetings and that as an example, on the 11th of February there will probably be more than 400 people in attendance. He said, however, he would encourage them to come, if they wish, and monitor those hearings as it is open to all segments of the media.

Commissioner Nelder said that he felt there are complications which could develop in the Police Commission-type of hearings that differ from other Commissions in that many times the Commission, when holding disciplinary hearings, allow police officers who are facing charges to opt to have open or closed hearings, and if hearings were held at Channel 6 along those lines, it would simply be chaotic.



Commissioners Murphy and Daly echoed these remarks stating that the Commission would be highly criticized if they accepted this request and moved that a polite letter be written to Channel 6 declining their invitation.

Commissioner Nelder seconded and it was unanimously approved.

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION ADOPT THE PROPOSED POLICIES FOR ACCESS TO AND DESTRUCTION OF INTERNAL AFFAIRS BUREAU RECORDS. (CONTINUED FROM THE MEETING OF JANUARY 14, 1981). - CONTINUED OFF CALENDAR

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Deputy Chief Shannon asked for another continuance because the San Francisco Police Officers' Association had not concluded their election at this time and, therefore, requested that it be tabled until further notice.

(Request was granted because the San Francisco Police Officers' Association has requested a Meet and Confer Session on this item.)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY EXCEPTING FROM THE PROVISIONS OF SECTION 8.3 SOUND RECORDINGS AND BY ADDING SECTION 8.3.1 TO PROVIDE FOR THE DISPOSITION AND DESTRUCTION OF SOUND RECORDINGS.

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Deputy Chief Shannon said that it has been the Department's practice to maintain Communications Tapes for ninety (90) days and when the Record Destruction Schedule was entered into with the City Attorney it was pointed out that the Department was in violation of the City Administrative Code.

He said he was now asking the Commission to ask that the Code be amended to allow for a more practical time i.e., six (6) months to maintain these tapes.

RESOLUTION NO. 67-81

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY EXCEPTING FROM THE PROVISIONS OF SECTION 8.3 SOUND RECORDINGS AND BY ADDING SECTION 8.3.1 TO PROVIDE FOR THE DISPOSITION AND DESTRUCTION OF





SOUND RECORDINGS.

WHEREAS, a schedule of records destruction has been reviewed and approved by the City Attorney; and

WHEREAS, in its present form Section 8.1 of the San Francisco Administrative Code covers certain records, i.e., sound recordings, as to the time-frame for retention; and

WHEREAS, in order to be relieved of the burden and expense of storing Police Communication Radio and Telephone Tapes it is necessary to amend the San Francisco Administrative Code; therefore be it

RESOLVED, that the San Francisco Police Commission hereby transmits the draft ordinance to the Clerk of the Board of Supervisors for assignment to and action by the appropriate committee of the Board of Supervisors, the draft ordinance having already received approval as to form by the City Attorney.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

STATUS REPORT IN THE MATTER OF POLICE OFFICER  
HERBERT ALBERT, SUPPORT SERVICES BUREAU - RECORDS  
DIVISION

Deputy Chief Shannon: "I think I know why Mr. Willie Brown isn't here, his client is still on disability."

RESOLUTION NO. 69-81

STATUS REPORT IN THE MATTER OF POLICE OFFICER  
HERBERT ALBERT, SUPPORT SERVICES BUREAU-RECORDS  
DIVISION

WHEREAS, the status report in the matter of Police Officer Herbert Albert, Support Services Bureau-Records Division, was called, it having been set for this date; and

WHEREAS, in accordance with Police Commission Resolution No. 692-80 in that it was brought to



the attention of the Commission that Mr. Willie L. Brown, Jr., had filed suit against the Police Department as to the jurisdictional dispute, a motion was made by Commissioner Murphy to continue the hearing until such time as a determination had been made by the Court, and also until at such time as Police Officer Herbert Albert is able to return to duty; and

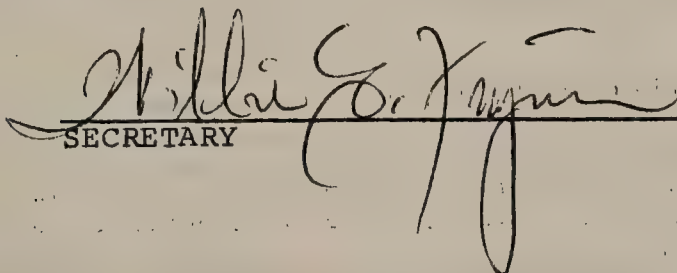
WHEREAS, it was noted that Police Officer Herbert Albert, is still off on disability leave and that there has not been a determination by the Courts as to the jurisdictional dispute; therefore be it

RESOLVED, that pursuant to Police Commission Resolution No. 692-80, the disciplinary hearing on charges filed against Police Officer Herbert Albert, Support Services Bureau-Records Division, is hereby continued to Wednesday, February 25, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler.

The Commission then adjourned its meeting  
at 7:43 p.m.

  
\_\_\_\_\_  
SECRETARY



4 FEBRUARY 1981

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, February 4, 1981 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

The Commissioners, having received, amended and returned copies of the minutes of the meetings of January 7, 1981 and January 14, 1981, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

DOCUMENTS DEPT.

MAR 18 1981

RECOMMENDATION OF THE TRAFFIC BUREAU

SAN FRANCISCO  
PUBLIC LIBRARY

Commissioner Murphy, indicating some concern about items 4 and 5, 408 Columbus Avenue, Cafe Roma, of the Traffic Calendar, and because of the size of the businesses making the requests for particular zones, asked Sergeant Newlin to take them back for a re-survey and bring them before the Commission at the Commission's next meeting.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

820 CORTLAND AVENUE - J. C. SUPERMARKET

- a) At 820 Cortland Avenue, install a 22' yellow zone, extending from east building line 22' west of same.





- b) Meter 810 to be removed.

750-24th STREET - PARK MECHANICAL

- a) At 750-24th Street, install a 44' yellow zone, extending from 2' west of west end of driveway to 46' west of same.

360-4th STREET - SENIOR ACTIVITIES CENTER

- a) At 360-4th Street, install a 22' blue zone, extending from 22' to 44' north of south property line.

408 COLUMBUS AVENUE - CAFE ROMA -  
CONTINUED TO MEETING OF FEBRUARY 11, 1981

- a) At 408 Columbus Avenue, install a 22' white zone, extending from south property line 22' north of same.
- b) Remove meter 408.

408 COLUMBUS AVENUE - CAFE ROMA -  
CONTINUED TO MEETING OF FEBRUARY 11, 1981

- a) At 408 Columbus Avenue, install a 22' yellow zone, extending from 22' to 44' north of south property line.
- b) Meter 410 to be removed.

313 POTRERO AVENUE - S.F.P.D. - REVOKED

- a) At 313 Potrero Avenue, revoke existing 25' yellow zone, extending from 36' to 61' south of 16th Street.

199 PARKER - IRON PLATTER - S.F.P.D. - REVOKED

- a) At 199 Parker, revoke existing 44' white zone, extending 44' north of south building line.



601-20th STREET - S.F.P.D. - REVOKED

- a) At 601-20th Street, revoke existing 90' green zone, extending from 10' to 100' east of west building line.

1051-22nd STREET - S.F.P.D. - REVOKED

- a) At 1051-22nd Street, revoke existing 58' green zone, extending from 20' to 70' east of west property line.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 217 feet of white, yellow and green zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 71-81

JEROME F. SMYK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jerome F. Smyk against the City and County of San Francisco in the sum of \$300.00 in Superior Court Action No. 721 725 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 4, 1976

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez





RESOLUTION NO. 72-81

ROBERT KOSSICK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Kossick against the City and County of San Francisco in the sum of \$17,500.00 in Superior Court Action No. 701 287 as the result of damages sustained, be, and the same is hereby approved. .

Date of Incident: August 23, 1975

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 73-81

JESSIE L. ABRAMS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jessie L. Abrams against the City and County of San Francisco in the sum of \$228.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 9, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 74-81

PAULINE ALBERICI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Pauline Alberici against the City and County of San Francisco in the sum of \$56.43 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 15, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 75-81

ATLAS TOW SERVICE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Atlas Tow Service against the City and County of San Francisco in the sum of \$100.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 8, 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 76-81

BRUCE W. HATCHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bruce W. Hatcher against the City and County of San Francisco in the sum of \$650.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 29, 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 77-81

AUTHORIZING ATTENDANCE OF LIEUTENANTS HAROLD JACKSON, PARK POLICE STATION, LOUIS CALABRO, CENTRAL POLICE STATION, AND DANTE DEL CHIARO, CENTRAL POLICE STATION, AT A MIDDLE MANAGEMENT TRAINING COURSE, AT KELSEYVILLE, CALIFORNIA, FROM FEBRUARY 16, 1981 TO FEBRUARY 27, 1981.

RESOLVED, that the recommendation of the Chief of Police that Lieutenants Harold Jackson, Park Police Station, Louis Calabro, Central Police Station, and Dante Del Chiaro, Central Police Station, be detailed to attend



a Middle Management Training Course, at Kelseyville, California, from February 16, 1981 to February 27, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenants Jackson, Calabro and Chiaro in a sum not to exceed \$600.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 78-81

AUTHORIZING ATTENDANCE OF ASSISTANT CRIMINALIST RALPH WHITTEN, CRIME LABORATORY, AT THE SEMEN ANALYSIS COURSE, AT EMERYVILLE, CALIFORNIA, FROM FEBRUARY 23, 1981 TO FEBRUARY 27, 1981.

RESOLVED, that the recommendation of the Chief of Police that Assistant Criminalist Ralph Whitten, Crime Laboratory, be detailed to attend the Semen Analysis Course at Emeryville, California, from February 23, 1981 to February 27, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Assistant Criminalist Ralph Whitten in a sum not to exceed \$325.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

POLICE COMMISSION REPORT

Commissioner Daly reported that she wanted to bring to the attention of the Police Commission that the Chamber of Commerce, besides the monthly awards they have given to our police officers who have been doing excellent jobs, have also been giving out whistles in some of the city's banks that have the police emergency phone number. She said because of that the Commission





should write a letter of appreciation saying how much it appreciates this project.

Commissioner Sanchez said that he had learned of this through the media that a press conference was held in this matter outlining this proposal and the Chief was there, and Project SAFE personnel was also involved. He said he would hope that in the future when other items of this nature are being held that the Commission be apprised of this prior to its occurrence.

Commissioner Murphy then read from a letter submitted by Isabel Lemmon, Manager of Advertising and Promotions of KNBR which thanked the Commissioner for her efforts in clearing the way for her project which allows her to sell hot dogs on Tuesday, at noon, February 17, 1981, in front of the City Hall. The letter also extended an invitation to Commissioner Murphy to assist in the sales.

Commissioner Murphy pointed out that the letter also had some glowing praises for the manner in which Mrs. Lemmon said she was treated by members of the Police Department.

The Commissioner, on another subject, commented on the report submitted by Lieutenant Richard Klapp, regarding departmental training. She said the report was very impressive and that she would like to have him commended for his efforts in its preparation.

Commissioner Sanchez then said he would like to cite the concern that has been voiced by this Commission and the City about the great deal of violence being committed in certain areas of the City. He mentioned the deaths of several teenagers over the past few months and said that this type of thing has no socio-economic or ethnic background and that he would hope that the Department, through the media, could broadcast again about how active citizen participation would aid immensely in reducing this violence.

Commissioner Nelder said that he thought maybe more direct action is necessary because in the Twin Peaks area where some of those violent acts occurred it is now getting to be a playground for young persons who, when confronted, will say that they just went there to have a few beers or drink liquor, which is actually a violation of the law for persons in their age category.

He said he had read an article in the newspaper yesterday which indicated that Hollywood moviemakers would make a picture predicated upon youthful prostitution and selected the San Francisco Tenderloin to give them a realistic approach.



He said he feels that maybe some kind of a Task Force should be developed between the Police Department, the Juvenile Court Judge and the District Attorney's Office, and perhaps, if necessary, maybe some new legislation might be necessary. But he said, I think that if this kid stuff is as wide-spread as we are led to believe, I think that some concerted action has to be taken, and I would hope that maybe, within the next time that we meet, we might find out how precisely extensive it is and whether or not it would be feasible to develop a Task Force as indicated here. He said maybe after looking into it Deputy Chief Eimil may want to enlarge that type of a Task Force to tackle the problem before it gets worse than it is.

He then said at this point, "I will make a motion that patrol efforts be increased and stepped up in the Twin Peaks area because, obviously, it is a place which is attractive to hoods and they are going up there beating up law-abiding people, and in this particular instance, you now have a youngster dead as a result of that, and other attacks have taken place which we all know about, so I think I will put it in the form of a motion that the patrols be stepped up and increased in the Twin Peaks area."

Commissioner Daly: "Before there is a second, could I ask that maybe an amendment or an addition be made, adding that a curfew be enforced on Twin Peaks, if that is within legal boundaries, which means that officers patrolling would be allowed to check ages and if that is okay with Commissioner Nelder, then I would second the motion."

Commissioner Sanchez: "Fine, discussion? If not, all in favor say Aye, unanimous Ayes and motion carries."

Commissioner Sanchez said that he would like to express his concern about one of the major problems also facing the city along with the violence, and increase of child abuse has risen to epidemic proportions in the past two years. He said the difficulty of coordination of services along these lines for youngsters and their families is the fact that there has been a shift in staff pertaining to youth services. He said new officers receiving this type of assignment have not had the experience to deal with the delicate issues involved and as a result it comes off as a pretty traumatic experience for those families.

He said he felt that this was a good time to get lee time to make sure that whatever units





are assigned to deal with the battered, or the sexually abused child, assign experienced personnel who have dealt with these subjects and have worked quite faithfully with institutional staff, otherwise the problems facing the city right now will be compounded.

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Deputy Chief Shannon said that he had two items, one is regarding Police Officer Herbert Albert who, at the time his disciplinary hearing was scheduled to be heard, he was off on disability leave and his attorney argued that he should not be heard in that the Commission did not have jurisdiction over the officer while he was on that type of leave.

He said there was some concern about a court action filed by Mr. Brown, the officer's attorney, to substantiate that position, however, there has been no court action and Officer Albert has returned to limited duty with the department and a date should be set for his hearing.

The Commission then set February 25, 1981 for the matter to be heard.

All parties are to be notified of this action taken tonight.

The Chief then referred to a communication given to each Commissioner regarding an emergency situation in the police department brought about because of a lack of staff in the Communications Division and the deterioration and mechanical breakdown of approximately 61 police cars.

He said the Department is requesting that the Commission adopt a resolution which would be sent to the Board of Supervisors declaring an Emergency Situation. He said this is part of a package the Mayor would be submitting to the Board of Supervisors on Monday to assist the city's entire Criminal Justice System.

Commissioner Murphy then moved for adoption of this measure and it was seconded by Commissioner Nelder and unanimously approved.



RESOLUTION NO. 79-81

DECLARATION OF AN EMERGENCY SITUATION WITHIN  
THE POLICE DEPARTMENT REGARDING THE STAFFING  
OF THE RADIO ROOM AND THE SUPPLY OF AVAILABLE  
PATROL CARS.

WHEREAS, an emergency situation exists in the Radio Room due to an insufficient number of personnel to answer the telephone in the timely manner required for maintenance of public safety; and

WHEREAS, this emergency requires an appropriation of funds to supply the Police Department with six (6) additional dispatchers, and that the appropriation of such funds is approved and requested by the Police Commission; and

WHEREAS, an emergency situation also exists in the lack of available patrol cars because the sidelining of vehicles for repairs has deprived the department of the ability to deliver patrol services to the extent required for the public safety; and

WHEREAS, this emergency requires an appropriation of funds to enable the Police Department to replace sixty-one (61) patrol cars; therefore be it

RESOLVED, that the Police Commission does hereby declare that an emergency situation exists within the Police Department regarding staffing of the Radio Room, and supply of available patrol cars, request an appropriation of funds to offset this emergency situation.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

NOTIFICATION OF REVOCATION OF MOTOR VEHICLE FOR  
HIRE PERMIT HAS BEEN SENT TO FELIX DE COURT FOR  
FAILURE TO COMPLY WITH VARIOUS SECTIONS OF THE  
POLICE CODE. (CONTINUED FROM THE MEETING OF JAN-  
UARY 21, 1981.) - CONTINUED FOR TWO (2) WEEKS.

Officer Lamont Suslow said that he had attempted to contact Mr. DeCourt and his attorney, Mr. Oler,





and was only able to contact Mr. DeCourt whom he advised to be present at today's Police Commission Meeting. He said he also spoke to Mr. DeCourt's attorney's secretary who said that it may be 2 months before an arbitration date is set to arrive at a decision on Mr. DeCourt's insurance settlement on the theft and burning of his van.

Officer Suslow recommended that Mr. DeCourt's Jitney Permit be revoked because his insurance expired almost two months prior to his jitney being stolen and that he had previously been given a 90 day suspension of operation by the Commission last year.

Commissioner Sanchez then directed that a letter should be sent to Mr. DeCourt and/or his attorney advising them that they should appear or otherwise revocation would be imminent.

RECEIPT OF REVISION OF GENERAL ORDER A-1,  
WRITTEN COMMUNICATION SYSTEM. (COPIES SENT TO  
THE EMPLOYEE ORGANIZATIONS.) - CONTINUED ONE (1)  
MONTH.

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RECEIPT OF AMENDED LIMITED DUTY POLICY. (COPIES  
SENT TO THE EMPLOYEE ORGANIZATIONS.) - CONTINUED  
ONE (1) MONTH.

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RECEIPT OF REQUEST FOR APPROVAL TO AMEND DEPART-  
MENT GENERAL ORDER NO. P-6, LIKE WORK/LIKE PAY  
APPOINTMENTS. (COPIES SENT TO THE EMPLOYEE ORGAN-  
IZATIONS.) - CONTINUED ONE (1) MONTH.

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All three above subjects were continued for at least a month at the request of Deputy Chief Shannon.

He said the Police Officer's Association has just completed their elections and have indicated they want Meet and Confer Sessions on several items other than those listed today. He said he knows that they will want to Meet and Confer on at least two out of three of these items.

The Commission then asked President Elect of the Police Officers' Association, Bob Barry, and Vice President Elect, Paul Chignell, to rise so that the Commission and Staff could congratulate them on winning their respective positions once again in the San Francisco Police Officers' Association and look forward to further discussion on mutual concerns with them.





PUBLIC HEARING RELATIVE TO ADOPTING STANDARDS  
AND GUIDELINES AS A REQUISITE FOR ALL APPLICANTS  
SEEKING PUBLIC CONVENIENCE AND NECESSITY TAXI-  
CAB PERMITS.

Deputy Chief Shannon reported that Officer Lamont Suslow of the Permit Bureau would submit the Department's recommendations. He said nothing has been received from the City Attorney's Office regarding Lieutenant Frazier's request for standards and guidelines.

Officer Suslow then presented material based on what occurred at the Commission Public Convenience and Necessity Hearing two years ago for the Commission's consideration.

Commissioner Sanchez stated that in addition to this information the City Attorney's Office was supposed to have submitted to the Commission some Standards and Guidelines for the Commission's consideration and discussion at tonight's meeting. Since that was not done the Commission would not be able to pursue that subject any further and will take it up once again at subsequent Hearings on Public Convenience and Necessity.

The Commission then continued discussion on the procedural aspects of the Hearings and approved a motion to establish a cutoff date and time for the acceptance of applications for Public Convenience and Necessity (Taxicab Permits) of Tuesday, February 10, 1981, and/or postmarked no later than 12 midnight, for Hearings which will commence February 11, 1981.

Commissioner Sanchez also said he would like to direct the Chief to write a letter, and the Commission Secretary will also, to the City Attorney whom he (Commissioner Sanchez) will personally call to insure that an attorney from that office is present and that way the meeting could commence with a brief 5 minute summary of the requirements of Proposition K.

NOTIFICATION OF THE SURRENDER OF THE GRAYLINE  
SIGHTSEEING PERMITS - CONTINUED ONE (1) WEEK.

Officer Lamont Suslow appeared and reported to the Commission that Grosvenor Bus lines had bought the stock of Gray Line Inc., and was surrendering those Sightseeing Permits



held by Gray Line issued to it by the City and County of San Francisco.

Commissioner Sanchez said because of the fact that the Commission had just received an additional letter advising the Commission that Grosvenor Bus Lines were conditionally surrendering those permits, that he would recommend that it be referred back to the Department's Legal Office, and hold it off for one more week pending further clarification of the Department's position.

A motion was made to this effect by Commissioner Nelder and seconded by Commissioner Daly.

It was then unanimously approved.

RESOLUTION NO. 81-81

HEARING OF INSPECTOR WILLIAM C. BIGARANI,  
BUREAU OF INVESTIGATIONS

WHEREAS, the date for the hearing of the disciplinary charges filed against Inspector William C. Bigarani, Bureau of Investigations, was called, it having been set for this date; and

WHEREAS, Mr. William R. Beirne, attorney for Inspector William C. Bigarani, has requested that the matter be continued to March 25, 1981; therefore be it

RESOLVED, that the request of Mr. William T. Beirne, Attorney at Law, for a continuance in this matter, be, and the same is hereby approved and continued to Wednesday, March 25, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

HEARING OF GRIEVANCE NO. 31-80 FILED BY  
SERGEANT DONALD BREWER

The hearing of the Grievance of Sergeant Donald Brewer was called, it having been set for





this date. Sergeant Donald Brewer's Grievance No. 31-80 having been denied by the Chief of Police, is as follows:

"In the course of investigating personnel matters relating to events that have transpired in the past few years, grievant Brewer had occasion to inspect his Personnel File and a memorandum was found written by Sergeant David Roche and submitted to Deputy Chief Keays. The memorandum dated July 30, 1975, contains derogatory comments adverse to his interests. Grievant Brewer was never given the opportunity to read the memorandum or to note the memorandum.

On July 30, 1975, the Memorandum of Understanding dated April 17, 1974, was in effect. Section 2g of that contract states, "No officer shall have any comment or statement adverse to his interest entered into his personnel record by any person without first having read and signed the instrument."

The suggested remedy to Sergeant Brewer's grievance is immediate purging of his personnel file of the memorandum prepared by Sergeant David P. Roche, Legal Office, to William J. Keays, Deputy Chief of Police, dated July 30, 1975.

Mr. Paul Chignell, Vice President, San Francisco Police Officers' Association, made an opening statement explaining why the matter was before the Commission, what it entailed, and the issue involved. Also, at this time, comments were made by Sergeant Donald Brewer.

A statement was then made by Deputy Chief of Administration, James P. Shannon, who appeared on behalf of the Police Department.

The Commission took the matter under submission after which the following resolution was adopted:



RESOLUTION NO. 80-81

DECISION - HEARING OF GRIEVANCE NO. 31-80, FILED  
BY SERGEANT DONALD BREWER

"In the course of investigating personnel matters relating to events that have transpired in the past few years, grievant Brewer had occasion to inspect his Personnel File and a memorandum was found written by Sergeant David P. Roche and submitted to Deputy Chief Keays. The memorandum dated July 30, 1975, contains derogatory comments adverse to his interests. Grievant Brewer was never given the opportunity to read the memorandum or to note the memorandum.

On July 30, 1975, the Memorandum of Understanding dated April 17, 1974, was in effect. Section 2g of that contract states, "No officer shall have any comment or statement adverse to his interest entered into his personnel record by any person without first having read and signed the instrument."

The suggested remedy to Sergeant Brewer's grievance is immediate purging of his personnel file of the memorandum prepared by Sergeant David P. Roche, Legal Office, to William J. Keays, Deputy Chief of Police, dated July 30, 1975.

and

WHEREAS, a hearing on said Grievance was had before the Police Commission in accordance with the Grievance Procedure detailed in the Memorandum of Understanding on Wednesday, February 4, 1981, and on Wednesday, February 4, 1981, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that Grievance No. 31-80 made and filed by Sergeant Donald Brewer is sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Grievance No. 31-80, made and filed by Sergeant Donald Brewer is sustained by the evidence presented at the hearing; and be it further



RESOLVED, that it is the order of the Police Commission that a department memorandum dated July 30, 1975, and submitted by Sergeant David P. Roche, Legal Office, to William J. Keays, Deputy Chief of Police, be removed and destroyed from all files relating to Sergeant Donald Brewer.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

The Commission then adjourned its meeting at 8:01 p.m.

  
SECRETARY





11 FEBRUARY 1981

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in the 6th Floor Auditorium in the Hall of Justice, 850 Bryant Street, on Wednesday, February 11, 1981, at 1700 hours in regular session.

PRESENT: Commissioner Daly, Nelder, Toler,  
Murphy, Sanchez

DOCUMENTS DEPT.

Commissioner Sanchez presiding.

APR 15 1981

SAN FRANCISCO  
PUBLIC LIBRARY

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1551 DOLORES STREET - D & V GROCERY

- a) At 1551 Dolores Street, install a 22' yellow zone, extending from north property line 22' south of same.

1602 LOMBARD STREET - PRIVATE BRANDS LIQUORS

- a) At 1602 Lombard Street, install a 24' green zone, extending from 22' to 46' west of east property line.

1127 IRVING STREET - THE FLOWER GIRL

- a) At 1127 Irving Street, install a 22' green zone, extending from west side of driveway 22' west of same.

37 AUSTIN - FRED'S

- a) At 37 Austin, install a 22' yellow zone, extending from 4' to 26' west of east building line.



- b) Remove meter AUS 37.

1206 MASONIC AVENUE - S.F.P.D. - REVOKED

- a) At 1206 Masonic Avenue, revoke existing 19' green zone, extending from 19' north of south property line.

2960 DIAMOND STREET - S.F.P.D. - REVOKED

- a) At 2960 Diamond Street, revoke existing 22' green zone, extending from 5' east of east property line to 27' east of east property line.

1351 HAIGHT STREET - S.F.P.D. - REVOKED

- a) At 1351 Haight Street, revoke existing 27' yellow zone, extending 27' west of east line of building.

1351 HAIGHT STREET- S.F.P.D. - REVOKED

- a) At 1351 Haight Street, revoke existing 63' white zone, extending from 36' to 99' west of the east property line.

1360 HAIGHT STREET - S.F.P.D. - REVOKED

- a) At 1360 Haight Street, revoke existing 22' green zone, extending 22' east of west property line.

AYES: Commissioners Daly, Nelder,  
Toler, Murphy, Sanchez

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 153 feet of green, yellow and white zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder,  
Toler, Murphy, Sanchez





RESOLUTION NO. 83-81

ALLSTATE INSURANCE COMPANY  
AND EMILY LIGHTENBERG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Allstate Insurance Company and Emily Lightenberg against the City and County of San Francisco in the sum of \$586.10 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: November 12, 1980

AYES: Commissioners Daly, Nelder,  
Toler, Murphy, Sanchez

RESOLUTION NO. 84-81

ELWOOD HESLIP AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elwood Heslip and his attorney against the City and County of San Francisco in the sum of \$750.00 in Superior Court Action No. 687 501 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 10, 1974

AYES: Commissioners Daly, Nelder,  
Toler, Murphy, Sanchez

PERMISSION TO FILE CIVIL SUIT - APPROVED

The request of Sergeant Ronald Keil, Internal Affairs Bureau, for permission to file a civil suit for injuries sustained as the result of an automobile accident, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder,  
Toler, Murphy, Sanchez



RESOLUTION NO. 85-81

POLICE NARCOTIC FUND - APPROVED

RESOLVED, that the Controller, be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy, in the amount of \$6,000.00 charging same to Index Code 580217 as an advance on the Police Narcotic Fund for the month of February, 1981.

AYES: Commissioners Daly, Nelder,  
Toler, Murphy, Sanchez

RESOLUTION NO. 86-81

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller, be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy in the amount of \$4,000.00 charging same to Index Code 580217 as an advance on the Police Contingent Fund for the month of February, 1981.

AYES: Commissioners Daly, Nelder,  
Toler, Murphy, Sanchez

RESOLUTION NO. 87-81

AUTHORIZING ATTENDANCE OF INSPECTOR LLOYD W. CUNNINGHAM, INVESTIGATIONS, AT THE AMERICAN ACADEMY OF FORENSIC SCIENCES TRAINING CONFERENCE, AT LOS ANGELES, CALIFORNIA, FROM FEBRUARY 19, 1981 TO FEBRUARY 20, 1981.

RESOLVED, that the recommendation of the Chief of Police that Inspector Lloyd W. Cunningham, Investigations, be detailed to attend the American Academy of Forensic Sciences Training Conference, at Los Angeles, California, from February 19, 1981 to February 20, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspector Lloyd W. Cunningham, Investigations,



in a sum not to exceed \$257.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder,  
Toler, Murphy, Sanchez

#### POLICE COMMISSION REPORT

The Commission submitted no report at this meeting.

#### CHIEF'S REPORT TO THE POLICE COMMISSION

The Chief submitted no report at this meeting.

#### NOTIFICATION OF THE SURRENDER OF THE GRAYLINE SIGHTSEEING PERMITS. (CONTINUED FROM THE MEETING OF FEBRUARY 4, 1981) - CONTINUED FOR TWO (2) WEEKS.

Commissioner Nelder said that he would recommend a continuance of this matter for two (2) weeks as there was some question in his mind as to whether or not the Commission should act in this matter, and also, he said, that since the Department's Attorney is not present to properly advise the Commission, further lends to his recommendation for a continuance. He then made a motion to continue it for two (2) weeks.

The motion was seconded by Commissioner Toler and approved by all except Commissioner Murphy who voted against a continuance.

#### PUBLIC HEARING ON APPLICATIONS TO DETERMINE PUBLIC CONVENIENCE AND NECESSITY FOR THE ISSUANCE OF VEHICLE FOR HIRE PERMITS.

Commissioner Sanchez began by saying prior to getting into the number of applicants on file, he would explain a few things and then the Commission will take a recess and afterwards proceed with the Hearing. He said the purpose of the recess will be to review documentation with the





Commission's attorney prior to hearing actual testimony which will be given by the applicants.

He said those persons speaking against the issuance of new permits will not be heard at this meeting, but there would be another meeting in about two weeks where those persons will be given time to present their testimony.

The meeting was then recessed for approximately 20 minutes.

When the meeting resumed, Commissioner Sanchez advised the applicants of the amount of time they would be allowed to make their presentations. He said some applicants would probably be represented in groups by one attorney and in those cases the attorney would be allowed extra time.

He then said that he would have Lieutenant Frazier read for the record the criteria listed in Proposition K and he asked all applicants to listen very carefully for if they did not meet that criteria they may not want to remain at the hearing. However, he said, for those who chose to remain, when their name is called, they may come to the podium, or have their attorney come to the podium, and make their presentation.

Mr. Dick Adams, Attorney at Law, was then allowed to speak and he said that he wanted to register a protest in that he did not receive proper notice of the Hearing held by the Commission on February 4, 1981, on Criteria and Guidelines as noticed in the newspapers.

Commissioner Murphy said that at that meeting the Commission discovered that it did not have a right at that time to make any additional guidelines or criteria, and that it is all contained in Proposition K, which is going to be read right now.

Commissioner Sanchez then said that there would be 5 minutes allowed per applicant with extra time allowed for attorneys representing a number of applicants.

He then requested the Lieutenant to read into the record the implied requirements in K and excerpts of criteria from the Municipal Police Code pertaining to the issuance of taxi cab permits.



Mr. Steven Diaz, Deputy City Attorney, then arrived and advised the Commission in the ways and methods that it should conduct this hearing. He said, basically, the advise that is prepared in the memo and submitted to the Commission by the Legal Office is accurate and correct.

(This information was read by Lieutenant Frazier.)

"There are two additional matters, which you may, or may not, have already covered. One is the recommendation that was made to you in 1979 for Public Convenience and Necessity concerning bifurcating these hearings should be made and, if I understood the President correctly, you would be hearing first all testimony having to do with the issue as to what the total number of permits ought to be and no testimony on the competence or qualifications of individual perspective permittees who would then be heard after a decision is made if there is Public Necessity and Convenience on a serious basis, Proposition K contemplates that every application shall be processed in the order received. Now the way that we read this, and I have discussed this with your Legal Office and we are not in disagreement on this, the individual applicant who is number 1 on the list would be the first to present himself, or herself, to the Commission if you decide there is Public Necessity and Convenience to issue new permits, and that person would then have to explain if, or the reasons why, they meet the criteria for the granting of permits, and then the Commission would dispose of that application before proceeding on to subsequent applications. It is also appropriate for the Commission to determine at the conclusion, if you decide to bifurcate, at the conclusion of the hearings on Public Necessity and Convenience what conditions, if any, other than those which are required by the statutes you would wish to impose upon permittees as conditions for their receiving licenses to conduct taxicab business in the City and County of San Francisco. So for example, if and I know that Commissioner Murphy has this concern, you find as part of the Public Necessity and Convenience it is necessary and desirable at the present time to have a given level of radio dispatched taxi cab service which is not now available, the Commission could impose the requirement on individual permittees, new permittees would have to have radio dispatched facilities or would have, within a given period of time, to affiliate with a radio dispatched operation in order to continue to be a permittee of this Commission for operating a Motor Vehicle for Hire and there may be other such criteria that, after your hearings, you would determine would apply."

The Commissioners then questioned Mr. Diaz on several aspects of the hearing after which Commissioner Sanchez then announced to those present that he would allow four minutes for questions and answers from the floor to Mr. Diaz.





After this question and answer series Commissioner Sanchez then repeated what the process is pertaining to the hearing tonight. He said number one, the Commission is not going to vote this evening to issue X number of permits, this is a meeting in which the Commission will listen to testimony, as to the need for additional permits to meet the need for Public Convenience and Necessity and that is all they are interested in hearing. Only those that are in favor of it. Those who are against it would have an opportunity at a later meeting to speak out against it.

Commissioner Sanchez then requested the Lieutenant to call those applicants on the list wishing to speak to the issue.

Mr. Darrell Solomon interrupted and stated that he represented 30 people on the list. He said for the amount of time allotted to each, it would take two hours for those 30 to be heard. He said he would like to make a deal with the Commission in that he would like to represent them all at once and reduce the two hours to 15 or 20 minutes.

Commissioner Sanchez said with the consideration of the rest of the Commission the Chair would grant Mr. Solomon his request. He also said he would suggest that rather than read out the names one at a time which will take additional time, the Commission will call 1 through 4 and then four others, and continue in groups of four throughout the list. He said when the parties come up they will identify their number and their names and then stand by in line so that the Hearing can proceed accordingly.

Mr. Solomon then gave each Commissioner a packet with his clients names and evidence which he felt would prove Convenience and Necessity for the issuance of additional taxicab permits. He said he represented all of those persons listed except Mr. John Kelly, who may have him represent him at a later time. (The list of those names and the evidence submitted is on file in the Office of the Police Commission). Mr. Solomon then made his presentation, highlighting the fact that at one time in the past there were a maximum of 849 taxicab permits in the City and exhorted that there should be at least that number now and possibly many, many more. In summation he spoke of criteria the Commission should use in the selection of applicants for the issuance of permits. He said the Commission should not allow the cab companies to talk them into utilizing a lottery, if there are applicants meeting the Commission's criteria in every respect and, in essence, are ties, as far as qualifications, then you break this tie by using their respective positions on the list.



However, he said, this in itself, should not be controlling, for more controlling for the benefit of the people of San Francisco is how long they have been driving a cab in the city.

After listening to Mr. Solomon's presentation, the Commission then proceeded to give the applicants a chance to speak and called them in order of their respective places on the list.

Many were not present and those who were, indicated that they were in favor of the issuance of additional permits by coming to the microphone and either verbally saying so, or submitting their names and numbers in writing, with a statement that they were in favor of additional permits.

Applicants represented by Mr. Darrell Solomon:

#2	Rivera, Querida Mia
#5	Singh, Mahinder
#6	Cook, Thomas J.
#7	Siegel, Howard
#9	Wallace, Richard A.
#10	Coop, Brian Pendleton
#24	Smith, Daniel F.
#26	Marez, Jimmy
#27	Byrnes, William M.
#31	McMahon, Patrick J.
#32	Pilossoff, Jack
#40	Patricio, Ruben A.
#46	Vance, Harold Arthur
#48	Duncan, Thomas
#53	Varcados, James
#58	DeCausemaker, Richard E.
#59	Bottorff, James R.
#101	Harjo, William Joseph
#129	McGee, Marquerite
#130	McGee, Pharoah
#146	Yosief, Kiflai
#147	Taye, Fesahe
#166	Boaz, Milburn Bascom
#170	Lee, Arthur
#180	Small, Lloyd Garland
#198	Ramsey, Willie
#200	Angeli, Clement Vincent
#201	LeClair, Alfred Matthew, Jr.
#202	Kelly, John W.
#207	Rush, Herbert A.

Applicants who came forward and gave oral testimony:

#14	O'Falahee, Sean	
#17	Boyles, John Patrick	- Represented by Attorney James Johnson.
#33	Fong, Bud S.	



#34 Ho, Kenneth Y.K.  
#35 Bartholomew, John  
#38 Williams, Roosevelt  
#39 Sungh, Sugene L.  
#44 Shair-Ali, Romeo  
#51 Hsu, Gardner C.  
#52 Kelley, J. Howard  
#68 Hafiz, Nick  
#87 Prenovitz, Simon S.  
#89 Correll, William Joseph  
#91 Solorio, Francisco J.  
#123 Timberline, Rich  
#131 Adams, Richard W. - Attorney - represented himself.  
  
#156 Parsons, Douglas H.  
#178 Hom, Moon You  
#202 Kelly, John W.  
#215 Gaspar, Rogers A.  
#220 Stern, Henry  
#231 Henselyn, Gus  
#238 Fong, Stanley S.  
#251 Crawford, Alonzo  
#252 Jackson, Lewis Theodore  
#258 Webb, John E.  
#259 Tuggle, James L.  
#264 Gutierrez, Frank  
#265 Green, Howard L.  
#305 Woldemarium, Mulugeta  
#306 Holmes, John Richard  
#310 James, Austin  
#316 James, Austin  
#316 Walker, Charles Arthur  
#318 Kramer, Robert J.  
#180 Small, Lloud Garland - Represented by Attorney but submitted testimony.  
  
#96 Seto, Anderson Hon Sang

Applicants who submitted in writing a statement saying they were in favor of the issuance of additional permits:

#18 Vo, Cam Van  
#21 Lloyd, Harold W.  
#22 George, Anthony Gerald  
#23 Woon, Victor Poy  
#27½ Berzaman, Peter Panos  
#29 McFall, Roy Russell  
#30 Gray, Theodore Eugene  
#33 Fong, Bud S.  
#37 Gelder, Allen B.  
#39 Sungh, Sugene L.  
#42 Wong, Dennis T.  
#44 Shair-Ali, Romeo  
#55 Mekbeb, Admassu  
#57 Fishel, Allan D.  
#59 Bottorff, James R.  
#64 Warne, Joseph P.  
#65 Huey, Gim F.  
#70 Leong, Frankie Fook





#73	Lee, Mun Hoy
#74	Valdez, Roberto
#84	Damarco, John
#86	Hasegawa, Tai
#92	Martinez, Joe Velasco
#96	Seto, Anderson Hon Sang
#98	Gray, Charles C.
#99	Tripoli, Frank Joseph
#104	Innes, Sandra
#105	Norvell, Edgar Lloyd
#110	Chu, Tony
#114	Elsayed, Mohamed
#137	Cesana, Robert
#144	Hall, Al
#147	Taye, Fesahe
#148	Galicha, Diosdado G.
#149	Diesso, Thomas
#154	Craig, Robert S.
#156	Parsons, Douglas H.
#158	Bottorff, Gene J.
#164	Matividad, Cornelius E.
#172	Hom, Ying F.
#173	Yee, Ben Yin
#177	Wong, Winston Guey
#178	Hom, Moon You
#186	Stockfleth, Walter L.
#188	Tesfa, Solomon
#192	Wong, Wing Hoe
#193	Tsakonakis, John
#211	Gebru, Tilahun
#216	Fazackerley, Keith Seville
#226	Seronick, Bernard
#228	Chiu, Ping Yin
#238	Fong, Stanley S.
#242	Eymer, Delfel
#246	Mahoavi, Firouz
#247	Yee, Gong Shew
#253	Pearce, Charles W.
#259	Tuggle, James L.
#260	Johnson, William S.
#262	Chan, James H. N.
#266	Guerzon, Macedonie
#270	Kwan, Tat Ming
#271	Yee, Ben Y.
#272	Warne, Joseph P.
#273	Spiridon, Rallis
#286	DeLaCruz, Peter M.
#290	Smith, John Jerold
#301	Pepito, Pablo C.
#309	Desta, Yossedek M.
#313	Lenci, Alfred
#314	Rainer, Boris
#316	Walker, Charles Arthur

Applicants who were or were not present when their name was called and did not respond either orally or in writing:

#1	Dodds, James R.
#3	Rhee, Doo Yong



#4	Bajada, Jose L.
#8	Scheelke, Charles R.
#11	Chung, Kyu Y.
#12	Thomas, Cornelius F.
#13	Trad, George
#14½	Kanstoroom, Paul
#15	Lim, Jack G.
#16	Horning, Harry Joseph
#19	Maldonado, John J., Sr.
#20	Brosnan, Thomas Patrick
#25	Quigley, Richard T.
#28	Cardona, Miguel Angel
#36	Portal, Fernando K.
#41	Pryor, Joshua K.
#43	Hinds, Dan Charles
#45	Maher, Ralph J.
#47	Wong, King Hee
#49	Dong, Kee Gok
#50	Shook, William L., Jr.
#54	Josue, Arthur
#56	Venegas, Joseph M., Jr.
#60	Farr, Wendell Cordes
#61	Busey, Matthew W.
#62	Ma, John W.
#63	Arkeder, Fred John, Jr.
#66	Manor, Robert
#67	Lipkins, Joel C.
#69	Tong, George
#71	Kelley, Michael John
#72	Grenfell, Edwin K.
#75	Bendana, Louis P.
#76	Yun, Johnson, C. H.
#77	Lee, Wing Dor
#78	Maddox, James A.
#79	Ribeiro, Leonard Charles
#80	Park Hae Kyoo
#81	Yen, Eugene
#82	Wootton, Joseph T.
#83	Jajeh, Rafik A.
#85	Choy, Alfred Poon-Kiu
#88	Tober, Dan Y.
#90	Solidakis, John
#93	Moy, William W.
#94	Ruiz, Albert T.
#95	Phelan, James Patrick
#97	Dickson, Glenn J.
#100	Chiu, Yee Hing
#102	Jay Gimson
#103	Shum, Kin Man
#106	Simmoneau, Thomas John
#107	Johnson, John Stevenson
#108	Mines, James R.
#109	Kearns, Claude F.
#111	Chow, Henry Y.
#112	Yee, Gay Ho Keung
#113	Houchins, James L.
#115	Ong, Sum M.
#116	Garcia, Jesus Manuel
#117	Diamos, Frank
#118	Mahrten, Thomas G.
#119	Leung, Kwong-Tai
#120	Tober, York Y.





#121 Griffin, Robert L.  
#122 Lavin, Martin John  
#124 Johnson, Kenneth D.  
#125 Russell, Lawrence Victor  
#126 Westermeyer, Robert J.  
#127 Nunley, Franklin D.  
#128 Padell, Gilbert E.  
#132 Anton, Bruie H.  
#133 Brown, Chester J.  
#134 Wong, Oliver Y.T.  
#135 Wong, Peter K.  
#136 Yang, Samuel  
#138 Bolig, James  
#139 Fardbastani, Ali  
#140 Scobel, Edward James  
#141 Tsang, Abies Chun-Tok  
#142 Lo, Calvin C.  
#143 Kleiman, Charles S.  
#145 Burke, Edmund  
#150 Ng, Cho Shun  
#151 Dorn, Guenter Heinz  
#152 Neenthumrong, Chumlong  
#153 Clarkson, Marc  
#155 Mack, Glenn Arnold  
#157 Schreiner, Frank  
#159 Whipple, George Arthur  
#160 Tong, Chuck Bun  
#161 Evanikoff, Constantine  
#162 Gillespie, James Benjamin  
#163 Coffman, Richard O'Farrell  
#165 Zlotkin, Harry L.  
#167 Stanghellini, Thomas J.  
#168 Wong, Warren Kan  
#169 Wong, Matthew Kan  
#170 Wong, Warren Kan, Jr.  
#171 Leung, Michael S.  
#174 Dorestant, Rene  
#175 Contillo, Rodolfo A.  
#176 Chin, Wai Jun  
#181 Walker, Frances Mary  
#182 Chee, Yick Ping  
#183 Welshans, William Dean  
#184 Hoffman, James  
#185 Johnson, Russell M.  
#187 Nguyen, Tu V.  
#189 Arroyo, Carlos Julio  
#190 Cha, Paul  
#191 Rubin, Ralph R.  
#194 Dong, Duncan Fee  
#195 Larson, James C.  
#196 Norton, William  
#197 Ahmad, Imtiaz  
#199 Ahmed, Ayaz  
#203 Feger, Robert H.  
#204 Sanz, Roberto Wolfert  
#204½ Nolot, Gerard  
#205 Matheson, James Albert  
#206 Abebe, Legesse  
#208 Christian, Edward Earl  
#209 Tesfa, Genene  
#210 Lynch, Frank P.



#212 Lesko, John G. Jr.  
#213 Tober, Taran Y.  
#214 Tober, Lee  
#217 Hill, Leland E.  
#218 Abdella, Abdo M.  
#219 Tafesse, Markos Michael  
#221 Kreipe, Thomas Ivan  
#222 Rohrig, William  
#223 Hall, James T.  
#224 Lym, Neil Chow  
#225 Sieder, Dixon J.  
#227 Neyhart, Dirk  
#229 Estolas, Roberto L.  
#230 Palter, Noel S.  
#232 Howe, Leonard A.  
#233 Rodriguez, Salvador F.  
#234 Maler, Daniel Zui  
#235 Ramsey, Maurice E.  
#236 Shaffer, Edward Lee  
#237 Ngo, Hiep Buck  
#239 Keleta, Fessahaie  
#240 Kejela, Jote  
#241 Alorro, Agripino M.  
#243 McPherson, John G.  
#244 Newell, Heywood W., Jr.  
#245 Lake, John Charles  
#248 Collier, William  
#249 Davis, Curtis C.  
#250 Lee, Herma Hon Yim  
#254 Hong, Do Tang  
#255 Limtiaco, Juan C.  
#256 Dajani, Munzer Abraham  
#257 Larkin, Raymond James  
#261 Bartholomew, John  
#263 Tesfa, Solomon  
#267 Williams, Ralph R.  
#268 Johnston, John H.  
#269 Crittendon, Vernell M.  
#274 Oncina, Max J.  
#275 Deliege, Rene Clement  
#276 Morrow, Willia Henry M.  
#277 Gillard, Thomas V.  
#278 Ramsey, Susan C.  
#279 Margiannis, Vasilios H.  
#280 Rosenbluth, Marry  
#281 Capos, Bernadette E.  
#282 Moreno, Joaquin  
#283 Simpson, Craig E.  
#284 Heller, Stephen L.  
#285 McLeod, Bonnie  
#287 Dorestant, Rene  
#288 Dickson, Philip  
#289 Blanco, Eugenio  
#291 Stridiron, Otto Hardine  
#292 Mitchell, James L.  
#293 Wood, Gary  
#294 Wong, Hay Y.  
#295 Tamrat, Samson  
#296 Rowan, Bienvenido R.  
#297 Asuncion, Florante  
#298 Nosach, Vladimir  
#299 Grinboym, Boris



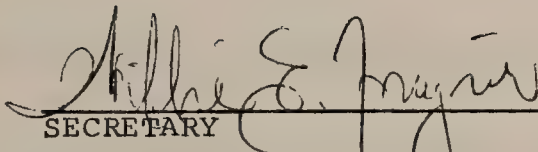
#300	Lee, Carl K. F.
#302	Boyles, Joseph W.
#303	Bakman, Semion
#304	Stewart, Earl
#307	Espinoza, Humberto
#308	Wetherby, Terry
#311	Andarsanik, Grigory
#312	Zhornist, Vladimir
#315	Bortnik, Aleksander
#317	Marian, Mesfin Haile

Commissioner Sanchez said the Commission would continue the Hearings on this issue and hear those parties from the community such as the Handicapped, the Aged, the Heart Association, and many other such community organizations who are interested in submitting input to these proceedings.

Further discussion was held on this subject with Attorney Darrell Solomon after which the meeting was adjourned and continued to March 4, 1981, at 5:00 p.m., in the Sixth Floor Auditorium, Hall of Justice.

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda Pransky, C.S.R.)

The Commission adjourned its meeting at 8:54 p.m.

  
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SECRETARY





18 FEBRUARY 1981

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, February 18, 1981 at 1700 hours in regular session.

PRESENT: Commissioners Nelder, Toler,  
Murphy, Sanchez

ABSENT: Commissioner Daly

DOCUMENTS DEPT.

FEB 18 1981

Commissioner Sanchez presiding.

SAN FRANCISCO  
PUBLIC LIBRARY

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1684 POST STREET - O.C.S. AMERICA, INC.

- a) At 1684 Post Street, install a 22' yellow zone, extending from 6' to 28' east of west property line.
- b) Meter #1634 to be removed.

1545 BROADWAY - WORMAN SAFE CO.

- a) At 1545 Broadway, install a 22' green zone, extending from 82' to 104' east of west property line.

1545 BROADWAY - WORMAN SAFE CO. - DENIED

- a) At 1545 Broadway, install a 22' yellow zone, extending from 60' to 82' east of west property line. DENIED.

1540 PINE STREET - POWELL TOW SERVICE

- a) At 1540 Pine Street, install a 26' yellow zone, extending from 36' to 62'



west of east property line.

- b) Meter 1520 to be removed.

50 RAYMOND - VISITATION VALLEY COMMUNITY CENTER

- a) At 50 Raymond, install a 44' blue zone, extending from 20' to 64' east of west property line.

50 RAYMOND - VISITATION VALLEY COMMUNITY CENTER

- a) At 50 Raymond, install a 44' white zone, extending from 64' to 108' east of west property line.

66 RAYMOND - VISITATION VALLEY COMMUNITY CENTER -  
REVOKED

- a) At 66 Raymond, revoke existing 60' green zone, extending from 60' west of east building line.

66 RAYMOND - VISITATION VALLEY COMMUNITY CENTER -  
REVOKED

- a) At 66 Raymond, revoke existing 20' green zone, extending from 20' west of west line of wire fence.

66 RAYMOND - VISITATION VALLEY COMMUNITY CENTER -  
REVOKED

- a) At 66 Raymond, revoke existing 62' white zone, extending from 54' to 116' west of east property line.

747 GEARY - S.F.P.D. - REVOKED

- a) At 747 Geary, revoke existing 50' yellow zone, extending from west property line 50' east of same.

610 BRANNON - S.F.P.D. - REVOKED

- a) At 610 Brannon Street, revoke existing 53' yellow zone, extending from 107' to 160' west of 5th Street.





610 BRANNAN STREET - S.F.P.D. - REVOKED

- a) At 610 Brannan Street, revoke existing 22' green zone, extending from 85' to 107' west of 5th Street.

66 RAYMOND - VISITATION VALLEY COMMUNITY CENTER - REVOKED

- a) At 66 Raymond, revoke existing 36' yellow zone, extending from 36' east of west end of wire fence.

AYES: Commissioners Nelder, Toler,  
Murphy, Sanchez

ABSENT: Commissioner Daly

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 303 feet of green, yellow and white zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Nelder, Toler,  
Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 88-81

J & H AUTO WRECKING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the J & H Auto Wrecking against the City and County of San Francisco in the sum of \$90.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 3, 1980

AYES: Commissioners Nelder, Toler,  
Murphy, Sanchez

ABSENT: Commissioner Daly



RESOLUTION NO. 474-80 FOR \$130.65 TO CALIFORNIA  
STATE AUTOMOBILE ASSOCIATION AND WILLIAM CHOW  
AND SHEILA MARTIN CANCELLED, AND RE-ISSUED TO  
WILLIAM CHOW AND SHEILA MARTIN ONLY FOR \$130.65

RESOLUTION NO. 89-81

WILLIAM CHOW AND SHEILA MARTIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William Chow and Sheila Martin against the City and County of San Francisco in the sum of \$130.65 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: July 8, 1980

AYES: Commissioners Nelder, Toler,  
Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 90-81

AUTHORIZING ATTENDANCE OF SERGEANT GREGORY S.  
CASH, TACTICAL DIVISION-EXPLOSIVE ORDNANCE DIS-  
POSAL UNIT, AT THE HAZARDOUS MATERIAL DISPOSAL COURSE,  
AT SACRAMENTO, CALIFORNIA, FROM FEBRUARY 19, 1981  
TO FEBRUARY 20, 1981.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Gregory S. Cash, Tactical Division-Explosive Ordnance Disposal Unit, be detailed to attend the Hazardous Material Disposal Course, at Sacramento, California, from February 19, 1981 to February 20, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that all expenses for travel and subsistence to be paid by the State of California.

AYES: Commissioners Nelder, Toler,  
Murphy, Sanchez

ABSENT: Commissioner Daly



RESOLUTION NO. 91-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Lieutenant Richard D. Klapp)	\$128.00	(Commission
Personnel & Training	)	(on Peace
		(Officer Standards
		(and Training
		(Quarterly Meet-
		(ing, San Diego,
		(California, from
		(January 29, 1981
		(to January 30,
		(1981.

AYES: Commissioners Nelder, Toler,  
Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 92-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant Thomas F. )	\$925.00	(Police K-9 Certi-
Blackwell )		(fication Training
Tactical-Canine Unit)		(Course-Adlerhorst
		(Kennels, Riverside,
		(California, from Jan-
		(uary 18, 1981 to Jan-
		(uary 30, 1981.

AYES: Commissioners Nelder, Toler,  
Murphy, Sanchez

ABSENT: Commissioner Daly





RESOLUTION NO. 93-81

AUTHORIZING ATTENDANCE OF INSPECTOR HOWARD BAILEY, INVESTIGATIONS BUREAU, HOMICIDE DETAIL, AT THE POLYGRAPH EXAMINERS SCHOOL, AT SPOKANE, WASHINGTON, FROM MARCH 16, 1981 TO MAY 1, 1981.

RESOLVED, that the recommendation of the Chief of Police that Inspector Howard Bailey, Investigations Bureau-Homicide Detail, be detailed to attend the Polygraph Examiners School at Spokane, Washington, from March 16, 1981 to May 1, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspector Howard Bailey, Investigations Bureau-Homicide Detail, in a sum not to exceed \$3,403.00 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Nelder, Toler,  
Murphy, Sanchez

ABSENT: Commissioner Daly

POLICE COMMISSION REPORT

Commissioner Sanchez reported that the Commission did meet in Executive Session under the rules of the Brown Act pertaining to Attorney-Client Relations and there was no vote taken.

Commissioner Nelder then inquired as to the situation on the Muni, noting that the Mayor had said that she was very proud of the S Squad and that they were doing a good job, and he asked the Chief to give the Commission a report.

Chief Murphy said the S Squad had been riding the Muni now for approximately 2 weeks and have made 82 arrest and/or citations in that short period of time. He said that is 2 more arrests than the Muni Transit Officers made during the entire year of 1979 and half of what they made in 1980. The results, he said, are obvious, that the police are more effective than the Transit Officers and the department will continue to employ this tactic of using plainclothes policemen on the Muni. He said one of the proposals the department is going



to make is that the Muni Transit Police be eliminated and convert that money into EWW which would allow regular officers to work on an over-time basis to patrol the Muni and not take away from the regular sworn strength of the Department.

Commissioner Murphy inquired as to the possibility of job loss by the Muni Officers.

Chief Murphy said there are some vacancies in the department and they will be given first choice to qualify for those positions, which are for Traffic Controllers and other classifications that may be filled by the Transit Officers.

Commissioner Toler wanted to know if the perpetrators of incidents on the Muni received any warnings prior to being arrested for minor incidents.

The Chief said some warnings are made in certain cases but the flagrant violations receive no warnings.

RECEIPT OF DEPARTMENTAL GENERAL ORDER R-2,  
"NOTIFICATION OF COMMAND STAFF REGARDING  
SERIOUS INCIDENTS." (COPIES SENT TO EMPLOYEE  
ORGANIZATIONS.)

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Deputy Chief Shannon said this matter is just for setting a date, that he has already discussed it peripherally with the Police Officers' Association and there doesn't appear to be any problem, therefore, the Commission could set it for two weeks hence for adoption.

Continued two weeks for adoption.

RECEIPT OF PROPOSED GENERAL ORDER A-2, RECORD  
DESTRUCTION. (COPIES SENT TO EMPLOYEE ORGANIZA-  
TIONS.)

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Deputy Chief Shannon said this is just the third part of the whole Record Destruction Package. He said the Commission has already approved the schedule which will be, when this is published and





distributed, the schedule will be included and this is to get everything together so that when it goes before the Board of Supervisors the Department will be ready to move on a Record Destruction Program.

Continued two weeks for adoption.

RESOLUTION NO. 96-81

JITNEY BUS LICENSE AND/OR PERMIT - GUILLERMO  
CARBALLIDO - REVOKED

WHEREAS, on February 10, 1981, the Police Commission sent a communication, certified mail, return receipt requested, to Guillermo Carballido notifying him that it would conduct a hearing on February 18, 1981, to determine whether it should direct the Police Department to revoke his permit and/or license for abandonment of his jitney business; and

WHEREAS, Mr. Carballido failed to appear at the Police Commission hearing on February 18, 1981, and he was not represented by counsel; therefore be it

RESOLVED, that the Police Commission pursuant to the provisions of Section 4a of Proposition K, does hereby find that Guillermo Carballido is not operating his jitney bus and has not so operated it for a period in excess of ten (10) consecutive days, and has abandoned his said jitney bus business for a period of ten (10) consecutive days; and be it further

RESOLVED, that the Police Commission having given five (5) days written notice to Guillermo Carballido that his permit is subject to revocation as provided in Section 4a of Proposition K, does hereby direct the Police Department of the City and County of San Francisco to revoke the license and/or permit authorizing Guillermo Carballido to operate a jitney bus on the Mission Street route.

AYES: Commissioners Nelder, Toler,  
Murphy, Sanchez

ABSENT: Commissioner Daly



RESOLUTION NO. 97-81

JITNEY BUS LICENSE AND/OR PERMIT - FELIX  
DE COURT - REVOKED

WHEREAS, on February 10, 1981, the Police Commission sent a communication, certified mail, return receipt requested, to Felix DeCourt, notifying him that it would conduct a hearing on February 18, 1981, to determine whether it should direct the Police Department to revoke his permit and/or license for abandonment of his jitney bus business; and

WHEREAS, Mr. De Court failed to appear at the Police Commission hearing on February 18, 1981, and he was not represented by counsel; therefore be it

RESOLVED, that the Police Commission pursuant to the provisions of Section 4a of Proposition K, does hereby find that Felix De Court is not operating his jitney bus and has not so operated it for a period in excess of ten (10) consecutive days, and has abandoned his said jitney bus business for a period of ten (10) consecutive days; and be it further

RESOLVED, that the Police Commission having given give (5) days written notice to Felix De Court that his permit is subject to revocation, as provided in Section 4a of Proposition K, does hereby direct the Police Department of the City and County of San Francisco to revoke the license and/or permit authorizing Felix De Court to operate a jitney bus on the Mission Street route.

AYES: Commissioners Nelder, Toler,  
Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 98-81

JITNEY BUS LICENSE AND/OR PERMIT - CHI HANG  
LAU - REVOKED

WHEREAS, on February 10, 1981, the



Police Commission sent a communication, certified mail, return receipt requested, to Chi Hang Lau, notifying him that it would conduct a hearing on February 18, 1981, to determine whether it should direct the Police Department to revoke his permit and/or license for abandonment of his jitney bus business; and

WHEREAS, Mr. Chi Hang Lau failed to appear at the Police Commission Hearing on February 18, 1981, and he was not represented by counsel; therefore be it

RESOLVED, that the Police Commission pursuant to the provisions of Section 4a of Proposition K, does hereby find that Chi Hang Lau is not operating his jitney bus and has not so operated it for a period in excess of ten (10) consecutive days, and has abandoned his said jitney bus business for a period of ten (10) consecutive days; and be it further

RESOLVED, that the Police Commission having given five (5) days written notice to Chi Hang Lau that his permit is subject to revocation, as provided in Section 4a of Proposition K, does hereby direct the Police Department of the City and County of San Francisco to revoke the license and/or permit authorizing Chi Hang Lau to operate a jitney bus on the Mission Street route.

AYES: Commissioners Nelder, Toler,  
Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 99-81

JITNEY BUS LICENSE AND/OR PERMIT - AVELINO PENA -  
REVOKED

WHEREAS, on February 10, 1981, the Police Commission sent a communication, certified mail, return receipt requested, to Avelino Pena, notifying him that it would conduct a hearing on February 18, 1981, to determine whether it should direct the Police Department to revoke his permit and/or license for abandonment of his jitney bus business; and





WHEREAS, Mr. Pena failed to appear at the Police Commission hearing on February 18, 1981, and he was not represented by counsel; therefore be it

RESOLVED, that the Police Commission pursuant to the provisions of Section 4a of Proposition K, does hereby find that Avelino Pena is not operating his jitney bus and has not so operated it for a period in excess of ten (10) consecutive days, and has abandoned his said jitney bus business for a period of ten (10) consecutive days; and be it further

RESOLVED, that the Police Commission having given five (5) days written notice to Avelino Pena that his permit is subject to revocation, as provided in Section 4a of Proposition K, does hereby direct the Police Department of the City and County of San Francisco to revoke the license and/or permit authorizing Avelino Pena to operate a jitney bus on the Mission Street route.

AYES: Commissioners Nelder, Toler,  
Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 100-81

JITNEY BUS LICENSE AND/OR PERMIT - ROBERTO  
TALAVERA - REVOKED

WHEREAS, on February 10, 1981, the Police Commission sent a communication, certified mail, return receipt requested, to Roberto Talavera, notifying him that it would conduct a hearing on February 18, 1981, to determine whether it should direct the Police Department to revoke his permit and/or license for abandonment of his jitney bus business; and

WHEREAS, Mr. Talavera failed to appear at the Police Commission hearing on February 18, 1981, and he was not represented by counsel; therefore be it

RESOLVED, that the Police Commission pursuant to the provisions of Section 4a of Proposition K, does hereby find that Roberto Talavera



is not operating his jitney bus and has not so operated it for a period in excess of ten (10) consecutive days, and has abandoned his said jitney bus business for a period of ten (10) consecutive days; and be it further

RESOLVED, that the Police Commission having given five (5) days written notice to Roberto Talavera, that his permit is subject to revocation, as provided in Section 4a of Proposition K, does hereby direct the Police Department of the City and County of San Francisco to revoke the license and/or permit authorizing Roberto Talavera to operate a jitney bus on the Mission Street route.

AYES: Commissioners Nelder, Toler,  
Murphy, Sanchez

ABSENT: Commissioner Daly

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy said the only thing he wanted to report on tonight was the demise of the Property Management group, better known as the "Sting" which is now defunct because of a lack of funds. He said it was a Federally funded project which the Department had for three years and was an outstanding success. He said the Department will be looking for funds in the future to implement the program again on a full time basis and, if not on a full time basis, certainly on a reduced time basis. He said he felt the officers who were assigned to the Unit over the years did an outstanding job markedly shown by a significant reduction of burglaries in the city and this should be contributed largely to this particular unit.

Commissioner Sanchez asked his fellow members if they would consider entertaining a motion whereby the Commission would write a letter to the men and women in that unit commending and congratulating them for outstanding and exceptional police work.

Commissioner Murphy said she would so move and it was seconded by Commissioner Toler.

It was then unanimously approved.





REQUEST OF POLICE OFFICERS AUGUST STREMME  
AND JOSEPH STONE, NORTHERN POLICE STATION,  
TO ACCEPT A REWARD OF TWENTY-FIVE (\$25.00)  
DOLLARS EACH FROM THE SAN FRANCISCO CHRONICLE  
AND EXAMINER.

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Chief Murphy said he would take personal pleasure in this opportunity to introduce Officer August Stremme of Northern Station. He said Officer Stremme and himself had the privilege of working together on at least two different occasions. He continued by saying Officer Stremme is an outstanding officer, a consistent plodder at Northern Station, and is a role model for the younger men in the Department. He said Stremme and his partner, Joe Stone, were involved in investigating thefts from newspaper rack coin boxes and were able to make arrest on the perpetrators and at least temporarily halt the criminal careers of the suspects.

The newspapers, Chronicle and Examiner, offered them this reward for their fine police work.

Commissioner Sanchez then said the Commission also wanted to congratulate him and his partner, who was not present, for services above and beyond and that he felt it is really a tribute to have Officer Stremme here to receive this reward. He said the Commission would also like to thank the Examiner and Chronicle for this recognition of the officers outstanding work.

PERMISSION TO ACCEPT A REWARD - APPROVED

The request of Police Officers August Stremme and Joseph Stone, Northern Police Station, for permission to accept a reward of twenty-five (\$25.00) dollars each from the San Francisco Chronicle and Examiner for services rendered in the investigation and arrest of three suspects involved in the theft of coins from newspaper racks, be, and the same is hereby approved.

AYES: Commissioners Nelder, Toler,  
Murphy, Sanchez

ABSENT: Commissioner Daly



RESOLUTION NO. 94-81

SETTING OF DATE FOR HEARING OF GRIEVANCE  
NO. 21-80, FILED BY SERGEANT GEORGE WALLACE,  
SUPPORT SERVICES BUREAU-CENTRAL WARRANTS DIVI-  
SION.

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WHEREAS, the date to be set for the  
hearing of Grievance No. 21-80, filed by Ser-  
geant George Wallace, Support Services Bureau-  
Central Warrants Division, was called, it hav-  
ing been set for this date; and

WHEREAS, it was requested by Paul C.  
Chignell, Vice President, San Francisco Police  
Officers' Association, that Sergeant Wallace's  
hearing of Grievance No. 21-80 be set for March  
11, 1981; therefore be it

RESOLVED, that the hearing of Grie-  
vance No. 21-80, filed by Sergeant George Wallace,  
Support Services Bureau-Central Warrants Division,  
is set for Wednesday, March 11, 1981, at 5:00  
p.m., in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Toler,  
Murphy, Sanchez

ABSENT: Commissioner Daly

HEARING OF RECRUIT OFFICER JERALD L. FRETZ,  
POLICE ACADEMY

Deputy Chief Shannon reported to the Commission  
that Officer Fretz earlier today, submitted his  
resignation.

RESOLUTION NO. 95-81

RECRUIT OFFICER JERALD L. FRETZ, POLICE ACADEMY

WHEREAS, on January 16, 1981, Cornelius  
P. Murphy, Chief of Police of the San Francisco  
Police Department, made and served charges against  
Recruit Officer Jerald L. Fretz, reading as follows:



SPECIFICATION NO. 1

Neglect of Duty and Conduct which tends to subvert the good order, efficiency and discipline of the Department and which reflects discredit upon the department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to Maintain Patient Decorum and Command of Temper. (Violation of Section 2.35 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to Obey a Lawful Order of his Superior Officer. (Violation of Section 2.45 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Unofficerlike conduct bringing Discredit upon the San Francisco Police Department and its members. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

and

WHEREAS, the Police Commission set Wednesday, February 18, 1981, as the date for the hearing on charges filed against Recruit Officer Jerald L. Fretz; and

WHEREAS, Chief of Police Cornelius P. Murphy announced that the Police Department was in receipt of the resignation of Recruit Officer Jerald L. Fretz from the San Francisco Police Department; said resignation effective February 18, 1981, which resignation was accepted with the condition that the services of Recruit Officer Jerald L. Fretz have been unsatisfactory and that he does not resign in good standing; therefore be it





RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Recruit Officer Jerald L. Fretz, be, and the same are hereby continued off calendar.

AYES: Commissioners Nelder, Toler,  
Murphy, Sanchez

ABSENT: Commissioner Daly

The Commission then adjourned its meeting  
at 5:35 p.m.

  
\_\_\_\_\_  
SECRETARY



25 FEBRUARY 1981

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, February 25, 1981, at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler

DOCUMENTS DEPT.

Commissioner Sanchez presiding.

APR 15 1981

SAN FRANCISCO  
PUBLIC LIBRARY

The Commissioners, having received, amended and returned copies of the minutes of the meetings of January 21, 1981 and January 28, 1981, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder,  
Murphy, Sanchez

ABSENT: Commissioner Toler

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

394 MAIN - U.S. POST OFFICE

- a) At 394 Main, install a 20' blue zone (two diagonal) extending from 64' to 84' north of south building line.

240 HARRISON STREET - U.S. POST OFFICE

- a) At 240 Harrison Street, install a 22' yellow zone, extending from 90' to 112' east of west building line. Extend present yellow zone 22' east.





1201 GUERRERO STREET - S.F. FINER FOODS

- a) At 1201 Guerrero Street, install a 22' yellow zone, extending from crosswalk 22' south of same.

3599 - 24th STREET - S.F. FINER FOODS

- a) At 3599-24th Street, install a 22' green zone, extending from west property line 22' east of same.

350 PARNASSUS - PARNASSUS HEIGHTS MEDICAL CENTER

- a) At 350 Parnassus, install a 22' blue zone, extending from 30' to 52' west of east property line.
- b) Revoke existing 22' yellow zone, extending from 30' to 52' west of east property line.

2391 - 32nd AVENUE - MOBILE STATION - DENIED

- a) At 2391-32nd Avenue, install a 25' red zone, extending from north side of driveway 25' north of same. DENIED.

1706 STOCKTON STREET - PAT O'BRIEN - REVOKED

- a) At 1706 Stockton Street, revoke existing 25' yellow zone, extending from 28' to 53' north of Filbert Street.

AYES: Commissioners Daly, Nelder,  
Murphy, Sanchez

ABSENT: Commissioner Toler

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 25 feet of yellow zone, at the part of the City, at the



the Reverend Leach to the front of the podium, administered the Oath of Office to the Reverend.

Reverend Leach said he felt honored to be appointed as a Chaplin for the San Francisco Police Department. He said he would do his best to uphold the duties of this honorable position of San Francisco Police Department Chaplin.

APPOINTMENT OF REVEREND JAMES LEACH AS POLICE  
CHAPLIN - APPROVED

RESOLVED, that the Police Commission hereby approves the appointment of Reverend James Leach, President, Baptist's Pastors Council of San Francisco, as a Police Chaplin for the San Francisco Police Department.

AYES: Commissioners Daly, Nelder,  
Murphy, Sanchez

ABSENT: Commissioner Toler

NOTIFICATION OF THE SURRENDER OF THE GRAYLINE  
SIGHTSEEING PERMITS. (CONTINUED FROM THE MEETING  
OF FEBRUARY 11, 1981.)

Lieutenant Trueb: "Mr. President, Commissioners, I asked Mr. Wilson who generated that initial memorandum to be available tonight."

Lawrence Wilson: "Well, I reviewed the letter they wrote, and the memorandum I submitted to you, and discussed this with their attorneys and I think the matter is pretty clear that the regulation of this particular company and its busses is vested in the State Public Utilities Commission. They have complied with the requirements of the Public Utilities Commission of the State, are licensed to provide service, and the permits they hold from this department are really unnecessary. There is no reason for them to hold those permits. What they would like from you is just an acknowledgement in writing, which is only their due in this matter.

The presence of these busses and these permits does not effect your right in determining Public Convenience and Necessity for the issuance of other permits for busses, sightseeing busses.



You would take their presence into account, but it doesn't mean that you can, or cannot issue other permits, it's just a fact to be considered when you determine Public Convenience and Necessity."

Commissioner Nelder: "Well, these permits at the present time are under the name of Grayline, isn't that correct?"

Lawrence Wilson: "I believe so."

Commissioner Nelder: "And all you are asking, meaning the new company, is to ask us to surrender those permits, or render them invalid under the name of Grayline? Is that what we are doing?"

Lawrence Wilson: "They are asking you...they are telling you they want to surrender them, but they want you to acknowledge that, in fact, that you have no regulatory authority over this company and these lines.

I am being a little careful because there might be, some day, be a subsidiary company which, for some reason, operate totally within the city which might need permits. I'm not through with all of the possibilities, but these permits are just not needed and they would like an acknowledgement from you that you do not have regulatory authority over them and that, indeed, is the law."

Commissioner Murphy: "I would like to ask a couple of questions, one is, are any of these sightseeing busses used exclusively in San Francisco, they don't go to Muir Wood, they don't go down to the Peninsula, they don't go some place else outside the City and County of San Francisco?"

Lawrence Wilson: "I can't answer that, but beyond being a point of interest, it doesn't effect this decision, because the way the law says, it's the totality of the mileage. 98%....."

Commissioner Murphy: "I see, because we were always told before that if they operated only in San Francisco....."

Lawrence Wilson: "If the entire mileage was, or 98% of the mileage was, entirely within the City and County, it would be a different situation."





Commissioner Murphy: "And it would still be a different situation if that were true, is that correct?"

Lawrence Wilson: "If that were true it would be a different situation. If there was another company, I am not that familiar with the companies, but if there were companies....."

Commissioner Murphy: "Well, there are several that came forth when the Grayline strike was on. We've had several organizations that wanted to get permits, and so on. So I suggest that they might be coming again sometime.

I would like to ask one other question, there has been a slight push on charging a fee for sightseeing busses, or rather charter busses, that come into the city and do their own sightseeing. In other words, they come from Nevada or someplace else. We are one of the few tourist cities that doesn't have such a fee. Albuquerque, which is much smaller, has a fee of 50 dollars to operate in the city for sightseeing in the city without sightseeing bus lines, instead of those established here, and there has been some push for that because of the number of busses that are coming in from all over. And I wonder if giving up this permit would in any way effect the possibility of such fees? Have you any idea whether it would if that were a new ordinance?"

Lawrence Wilson: "I am sure that giving up this permit would not effect that. I could not tell you right off the top of my head whether an ordinance passed by the Board of Supervisors of the City and County could impose such a tax on...."

Commissioner Murphy: "That I know, yes, I don't expect to do that...."

Lawrence Wilson: "On Public Utilities Commission regulated public carrier."

Commissioner Murphy: "I see, okay, thank you."

Commissioner Sanchez: "Commissioner Daly?"

Commissioner Daly: "Mr. Wilson, maybe you can explain this to me. If we don't have jurisdiction, why would we be called upon, and why has all of this time been taken up for us to make a statement that we have no jurisdiction, and why was the surrender of the permits conditioned upon this statement?"



Lawrence Wilson: "Well...I think it is an understandable prudence on the part of the attorneys for Grayline that they would like to make sure that everybody involved understands that this does not reflect a change in their operating procedures or a diminution of the services they are providing, but that they would like this Police Commission, which has the regulatory authority over certain bus lines to acknowledge that it indeed does not have the regulatory authority over this line, so that at some future date there is as a matter of record a finding by this Commission that it does not have that regulatory authority, and should there be any question about this, that would be a matter of record."

Commissioner Daly: "Well, Mr. Wilson, that describes my problem. If the law clearly states that this Commission has no jurisdiction, why would this Commission be asked to make such a statement, and that's what makes me extremely curious about this, the law is there. Certainly if this Commission tried to exercise any regulatory action in the future they would go to the law and say you can't do that. So it seems extremely interesting to me that we are being called upon to issue a statement, or pass a resolution, when we have no jurisdiction in having anything to do with it, and in that case, I would have to probably consider voting against us taking a vote."

Lawrence Wilson: "Well, I can understand that, but this Commission, unlike the City's Public Utilities Commission and the State Public Utilities Commission, spends a very small portion of its time dealing with these regulatory matters."

Commissioner Murphy: "That's a masterpiece of understatement, but go ahead."

Lawrence Wilson: "And there is perhaps some concern, and I am not trying to put words in the attorney's mouth, I am just hypothesizing, were I the attorney for Grayline I would want to have this as a matter of record. They certainly could give up the permits, cease paying taxes and simply return them to us if there is a physical item to return. But this is just a matter of their coming to a Commission of the City and County, which is a public body...in an adversary proceeding I would be maybe more skeptical and attorneys are placed in that position, they try and protect themselves down the line early on and that's what these gentlemen are trying to do on behalf of their client. They would like this Commission to go on record now as just acknowledging that the law says what I said it says in that memorandum you have and that there is no jurisdiction."





Commissioner Daly: "I will be real brief. 'This surrender is conditioned upon our receiving confirmation from the Police Commission that it does not assert jurisdiction,' well, can they really add a condition to their surrendering in the business that they are dealing in?"

Lawrence Wilson: "That's a good question, they have the permits and I think they probably would return the permits as long as....."

Commissioner Daly: "And finally should we be voting on something over which we have no jurisdiction under the law? Is that what you are recommending Mr. Wilson?"

Lawrence Wilson: "I am recommending that you do exactly what they ask you to do, because it is reasonable. They have come to you as the Commissioners who have the responsibility in this and asked you to acknowledge just what's so and in putting that into a resolution of this Commission. Your caution, I think, as a Commission is admirable that you should try to look at all of the angles, but I think the concern is unwarranted in this case. I just don't anticipate this being a problem down the road."

Commissioner Nelder: "Well, Mr. President, in the first paragraph of the second page where it says 'when Proposition K'....it starts about 6 lines down, 'when Proposition K became law Grayline surrendered its old permits and received the 43 permits at issue, accepting the new permits under protest founded upon the view that Prop K did not apply to sightseeing companies.' Now somebody must have had a different view at that particular time, or at least the Commission at that particular time didn't view it the way we were expected to view it at this time, or can you explain that?"

Lawrence Wilson: "I can't explain what the view of the Commission was then and perhaps someone who has been around longer might, but to say that there was a great deal of uncertainty regarding the scope and application of Proposition K initially, I think would be an understatement. At that time they might have said to this Commission here is your permits and the heck with you, and it might have resulted in a law suit had someone felt strongly on the other side."

Commissioner Daly said should we be voting on something in which we have no jurisdiction. I think if they hold the permits and they pay the fees, whether they need them or not, they hold the permits and they have the right to have them, and whether we have the jurisdiction or not, it is sort of a legal question that sounds rather esoteric."



Commissioner Sanchez: "Yes, I would just like to follow up with that and I would like to get a response from the Chief, if possible. This has been on the Commission Calendar for a couple of times now and the Commission has been very concerned about what our department's legal review is pertaining to the status of this. And there was a letter sent or an in-house memo, or whatever, by the Lieutenant, Lieutenant Frazier, at the request of the Commission asking for a legal opinion and some options for us, or something in writing, so we could proceed accordingly, if, in fact, this comes under our jurisdiction. And as Commissioner Daly has raised and Commissioner Nelder and Murphy, 'given the absence of Police Commission Jurisdiction, we hereby conditionally surrender to the Police Commission copies of the 43 Vehicle for Hire, etcetera, etcetera.' And it seems we are back to step one where we were initially when this came up on calendar and we have nothing in writing saying, in essence, what, in fact, does the Commission review at this time or is it, in fact, under our jurisdiction at all and if it isn't, which seems to be the interpretation that Mr. Wilson is giving us verbally, then, in fact, it shouldn't even be on the Commission's Calendar."

Chief Murphy: "Well, my only concern in the matter is that where would this leave us at some time down the line, and there are indications that the Public Utilities Commission would like to get out of regulating the sightseeing tour busses. How would that leave the Department if we acknowledged now that we don't have jurisdiction and then the Public Utilities Commission gives up jurisdiction. Where are we then? That's my only concern."

Lawrence Wilson: "It would take an amendment of the State Law to do that. We would have plenty of notice of that and the jurisdiction would have to revert to us because the only reason we don't have the jurisdiction is, indeed, the fact that it is pre-empted by State Law. I think Mr. Selner would like to make a couple of statements."

Commissioner Sanchez: "Yes, I would hope."

Leland Selner: "I would like to be heard."

Commissioner Sanchez: "Yes, you may, yes as a matter of fact that's why we are here, we responded initially to your inquiry and then calendared it, and had it back and forth, and so perhaps you should give us your point of view."





Leland Selner: "As my letter indicates, my name is Leland Selner of the law firm of Feldner, Balman and Kline, we represent Grosvenor Bus Lines Inc., who is the successor owner of the stock of the Grayline of all of the outstanding stock of the Grayline. The Grayline Company has remained intact at all times. Its ownership has been transferred from the Greyhound Corporation to the Inc., which I described, Grosvenor Bus Lines.

To answer the Chief's concern first the reason for Mr. Wilson's position to you as I understand it, the reason for our letter to you, our letters to you, is that it is the presence of the California Public Utilities Commission Jurisdiction over the operations of this sightseeing business which pre-empts the ability of the City and County of San Francisco to simultaneously exert it's jurisdiction over the line. Should that event occur which you hypothesize, namely that the California Public Utilities Commission would withdraw its jurisdiction, your City, City and County, automatically would be vested again with the authority to fully regulate the activities of the bus lines insofar as they are within the city. Now, a bit of history, perhaps, would be helpful to explain why we come to you and present for action something that you may feel requires no action at all, absence jurisdiction. It is the fact that over the ages anodating Proposition K, for a long, long time, as a matter of maintaining good relationships with the city as I am able to reconstruct it, there was no hard position taken on behalf of the Greyhound Corporation, or on behalf of the Grayline concerning the presence, or absence of City Jurisdiction, and these permits over the years have been outstanding. For a long time a single permit with the advent of Proposition K as has been indicated, is the issuance of individual vehicle permits. Now you know, and I wouldn't spend your time to set it out in detail, that there are extremely deep, broad, difficult questions concerning the applicability of Proposition K to the Sightseeing business at all. That has to do with a company that is otherwise within your jurisdiction. A question of whether such a company would be governed by the provisions of Proposition K is a very, very difficult issue. When that issue came along, what had earlier been a very comfortable, relaxed position on the part of the Greyhound Corporation, that unit could maintain the City Permits, it became suddenly a more difficult position. Because now Proposition K in one of its provisions says that an intent on the part of a corporation holder of a permit issued under Proposition K to transfer that permit by transferring that stock of the corporation has the effect of nullifying that outstanding permit. So here with the Greyhound Corporation with what it had in hand, Proposition K permits being very uncomfortable about as to whether they even applied to a Sightseeing Company, in particularly, being comfortable about its ability to transfer them. The second complication





that makes it important for you to make the matter clear is that there is a per seat charge, a city tax, that's levied on vehicles that receive city permits. And as long as there would be outstanding any confusion concerning whether you hold jurisdiction and whether those permits are appropriate, the tax collector is going to say or properly should say, 'where is our money? You hold city permits.' Now it's true, we could go silently away and if the tax collector came after the Grayline we could say, look your jurisdiction is pre-empted, those permits don't mean anything, and he would say, well, what does the Police Commission have to say about that, well we would have to say the Police Commission has declined to clarify the matter. We come to you as Mr. Wilson alluded to you, we don't come to you in an adversary position, there is nothing complicated about this matter at all. It is asking you to recognize what I understand your lawyer has told you is the case, that, in fact, all these years that these permits have been outstanding while there has been California Public Utilities Commission Jurisdiction, those permits have not meant anything, and we would like this Commission simply in carrying out of its responsibilities to say, yes, we know those permits were there but we have been now advised that the permit is not applicable in the case of the Grayline and, therefore, we so move. That's the relief that would clear the air."

Commissioner Nelder: "Well, I think Mr. Selner has put in a great deal of work and effort and I think you are looking for results, however, you did say something a couple of times that makes a difference from the standpoint of recordation. And it seems to me that when you say that this has been a situation that has been looked at somewhat loosely over the years, the reason is because it is a lack of recordation, and I am going to make a motion that Mr. Wilson file a reply to this instructing us what the legal position is and we will take action on this next week. Otherwise, another Commission will be sitting here sometime in the future and there is not going to be any matter of recordation or anything to allude to unless something is put in writing. So that would be my feeling on it, I don't have strong feelings on this excepting I do feel that if that's the case then it should be set down in writing by the Department's Legal Staff."

Leland Selner: "Mr. Nelder, if I may comment on that just so that the Commission can be comfortable in the knowledge of where the applicant stands. It has been my understanding and it remained my understanding until the Commissioner's comments of just now that you, in fact, had received a legal opinion in writing."



Commissioner Nelder: "We did receive a report, however, you did raise some questions such as I indicated on the first paragraph on the second page, at least that's the way I feel about it, maybe the other Commissioners don't feel that way, but that is the way I feel. There should be a reply to this with the recommendation of the Legal Department instructing us as to what action to take. I feel that the Chief would probably want something in writing too so that's the way I feel. Members?"

Commissioner Sanchez: "Okay, yes, there is a motion before the Commission now by Commissioner Nelder, is there a second?"

Commissioner Murphy: "I will second it, but I also want to add something to it and that is, I was here prior to Proposition K, lived through all of the Hearings and so on. Historically, you go back further than Greyhounds ownership of Grayline and before that a locally owned company. There was no questions raised as to permits until the big strike of Grayline. Now if Grosvenor sells the Grayline to somebody, whoever and they come back and they want to change their business in some way, I don't think there is any question about it but Proposition K does apply, but that would probably have to go through the courts. Two, is I don't know how much those permits cost yearly, but I will give you some advise, I'd pay for those permits and keep them."

Commissioner Sanchez: "Okay, I would just like to clarify again the motion and I might consider.... again the motion before us is to direct Mr. Wilson of our Legal Department to review the documents including your letter of February 23, 1981, and discussions this evening and to come in with a written opinion by our Legal Department along with any possible recommendations to the Commission so that we can take action at the next meeting. We want it in writing. This has been requested before. The Commission is still waiting for it and that's what the motion is, presently, in order to try and expedite this thing and get it on dead center."

Leland Selner: "That gives us no problem at all Dr. Sanchez."

Commissioner Sanchez: "I want to say this too, this has been on calendar for a couple of weeks, there is no one on the Commission who is presently an attorney, and as a result the Commission relies quite heavily upon our legal staff, and we rely quite heavily upon them, upon not only giving us an oral presentation, but documentation in writing, so that this way we, as a Commission, can review it and act in a rational





manner and that is the reason for the delay not to just say we are putting you off for another two weeks.

I notice there is a gentleman who has his hand up out there, are you speaking to this item sir, or what?"

Alfred Holly: "I have some questions on this matter."

Commissioner Sanchez: "Would you like to come and give your name and what your questions are?"

Alfred Holly: "My name is Alfred George Holly, I live at 230 Hale Street here in San Francisco and I have been an employee of the Grayline since July 1st of 1959. There are questions that come to my mind in the surrender of the City permits that may effect my future livelihood and I want to know the answer to these questions, will it in any way differentiate in the manner in which a sightseeing company is required to serve the public by taking away the city permits? Also, we have for a number of years enjoyed the Union Square Office and pickup point, and so forth. Will surrender of these City permits effect that? These are things that are vital to my livelihood. This I want to know. Are they doing this to circumvent service to the public? Are they doing this to merely make a savings, or is it absolutely unnecessary that we have these permits? So these questions come to my mind and I ask the Police Commission to consider those and get some answers to those also."

Commissioner Sanchez: "Fine, I would like to thank you very much for bringing those questions publicly here before our Commission Hearing which is reviewing it now. Those questions we would refer to legal staff and the Permit Detail so that they might review it along with you and I am sure other people who have been working for the lines per se.

Our motion right now is to refer it to our Legal Department for review and a written recommendation for the next meeting.

Is there further discussion on this?

Lieutenant, do you wish to speak on this?

Lieutenant Trueb: "I would just like to raise a point. It is impossible for me to get an answer back within a week. Mr. Wilson is leaving tomorrow for New Orleans, tomorrow morning....."



Commissioner Murphy: "Two weeks?"

Lieutenant Trueb: "Two weeks? I thought he said a week."

Commissioner Nelder: "Well, he said a week but if you feel you need two weeks, I would move for two weeks."

Commissioner Sanchez: "Okay, it has been amended for two weeks and we will calendar it for two weeks. In writing."

Commissioner Murphy: "Is that alright?"

Lieutenant Trueb: "I intent to confer with the City Attorney again on the matter."

Commissioner Sanchez: "Okay, very good, excellent, we have given more time there are a number of questions we don't know. Okay, all in favor say Aye. Unanimous Ayes. Motion carries. Next item."

RESOLUTION NO. 105-81

HEARING OF POLICE OFFICER HERBERT ALBERT,  
PLANNING AND RESEARCH

WHEREAS, the hearing of Police Officer Herbert Albert, Planning and Research, was called, it having been set for this date; and

WHEREAS, Mr. Philip Scott Ryan, attorney for Police Officer Herbert Albert, has requested that the matter be continued until March 18, 1981; therefore be it

RESOLVED, that the request of Mr. Ryan, Attorney at Law, for a continuance in this matter, be, and the same is hereby approved and continued to Wednesday, March 18, 1981 at 1700 hours, in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder,  
Murphy, Sanchez

ABSENT: Commissioner Toler



NOTIFICATION AND FILING OF CHARGES AGAINST  
POLICE OFFICER MARTY L. WAY, CENTRAL POLICE  
STATION.

Lieutenant Richard Trueb: "If the Commission would set these items, 7, 8 and 9 over to the 18th of March, that would be fine with the Legal Office, because I will have an attorney here who would be handling the matter."

Chief Murphy: "How do we stand for time inasmuch as the officers are on suspension now?"

Lieutenant Trueb: "We have 90 days and we will be hearing it. We filed the charges and we are ready to go. So we are well within the time frame. I am sure once you set your dates you will hear from the attorneys for the officers."

Commissioner Sanchez: "Okay, so the department is recommending we hold this off calendar until March 18th, at which time we will determine on what possible date it is to be set."

Commissioner Murphy: "Is that correct?"

Commissioner Sanchez: "Is that correct Lieutenant?"

Lieutenant Trueb: "That is correct."

Commissioner Sanchez: "Very good."

Commissioner Murphy: "I so move."

Commissioner Sanchez: "Motion in second?"

Commissioner Daly: "Second."

Commissioner Sanchez: "All in favor say Aye? Unanimous Ayes. Motion carries, it is hereby held over to March 18th. Thank you Lieutenant."

RESOLUTION NO. 101-81

POLICE OFFICER MARTY L. WAY, CENTRAL POLICE STATION

WHEREAS, charges of violating the Rules





and Procedures of the San Francisco Police Department were filed against Police Officer Marty L. Way, Central Police Station, as follows:

SPECIFICATION NO. 1

Misconduct, failure to conduct himself in an officerlike manner and neglect of duty. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to preserve the peace, prevent crime, and enforce all criminal laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to make written report to his commanding officer of a crime or other occurrences of a police nature. (Violation of Section 2.61 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Leaving his beat, detail or assignment without justification. (Violation of Section 9.29 of the Rules and Procedures of the San Francisco Police Department.)

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Marty L. Way, Central Police Station, is set for Wednesday, March 18, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder,  
Murphy, Sanchez

ABSENT: Commissioner Toler



RESOLUTION NO. 102-81

POLICE OFFICER KEVIN DEMPSEY, PARK POLICE  
STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Kevin Dempsey, Park Police Station, as follows:

SPECIFICATION NO. 1

Misconduct-Failure to conduct himself in an officerlike manner, and neglect of duty. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to preserve the peace, prevent crime and enforce all criminal laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to make written report to his commanding officer of a crime or other occurrence of a police nature. (Violation of Section 2.61 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Leaving his beat, detail or assignment without justification. (Violation of Section 9.29 of the Rules and Procedures of the San Francisco Police Department.)

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it





RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Kevin Dempsey, Park Police Station, is set for Wednesday, March 18, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder,  
Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 103-81

POLICE OFFICER LEONARD G. JEONG, CENTRAL POLICE  
STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Leonard G. Jeong, Central Police Station, as follows:

SPECIFICATION NO. 1

Misconduct, failure to conduct himself in an officerlike manner and neglect of duty. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to preserve the peace, prevent crime and enforce all criminal laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to make written report to his commanding officer of a crime or other occurrences of a police nature. (Violation of Section 2.61 of the Rules and Procedures of the San Francisco Police Department.)



SPECIFICATION NO. 4

Leaving his beat, detail or assignment without justification. (Violation of Section 9.29 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 5

Drawing his firearm in a public place when not in the line of duty. (Violation of Section 14.07 of the Rules and Procedures of the San Francisco Police Department.)

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Leonard G. Jeong, Central Police Station, is set for Wednesday, March 18, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder,  
Murphy, Sanchez

ABSENT: Commissioner Toler

Commissioner Sanchez: "Further discussions on the agenda?"

Lieutenant Frazier: "Yes, we have an added item and it is in the same vein of the previous three items."

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER WILLIAM J. KELLY, MISSION POLICE STATION

Lieutenant Trueb: "We don't have anything on that one at all, we have dates open, the 18th and the 25th, which include names other than Officer Kelly, so I have no problem with that if you could do it for the 18th, we could set them all at one time."



Commissioner Sanchez: "Fine, is there a motion to set it for the 18th?"

Commissioner Murphy: "Yes."

Commissioner Daly: "Second."

Commissioner Sanchez: "All in favor say, Aye. Unanimous Ayes. Oppose? Motion carries, it is set for the 18th."

RESOLUTION NO. 106-81

POLICE OFFICER WILLIAM J. KELLY, MISSION POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer William J. Kelly, Mission Police Station, as follows:

SPECIFICATION NO. 1

Under the influence of intoxicating liquor to such an extent that he was unable to exercise police powers. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Engaged in conduct which reflected discredit upon the San Francisco Police Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Drawing a firearm in a public place not in the line of duty. (Violation of Section 14.07 of the Rules and Procedures of the San Francisco Police Department.)





SPECIFICATION NO. 4

Failure to truthfully answer questions propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer William J. Kelly, Mission Police Station, is set for Wednesday, March 18, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

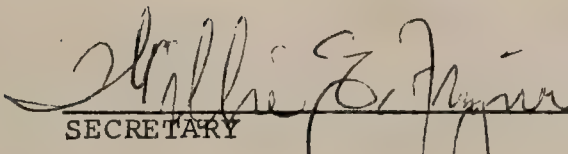
ABSENT: Commissioner Toler

Commissioner Sanchez: "Further discussion? Okay, if not, I would request that the Commission adjourn in memory of Lieutenant Vernon McDowell of our San Francisco Police Department who passed away this past weekend. Is there a motion to adjourn?"

Commissioner Murphy: "I so move."

Commissioner Sanchez: "And then the Commission will observe 30 seconds of silence in his honor. All in favor of adjournment say Aye? Unanimous Ayes."

The Commission then adjourned its meeting at 5:54 p.m.

  
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SECRETARY



4 MARCH 1981

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 4, 1981 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

Commissioner Sanchez presiding.

DOCUMENTS DEPT.

RESOLUTION NO. 107-81

APR 15 1981

KENNETH T. NEWMAN

SAN FRANCISCO  
PUBLIC LIBRARY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kenneth T. Newman against the City and County of San Francisco in the sum of \$40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 22, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 108-81

KAREN A. BROCCO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Karen A. Brocco against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 9, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez





RESOLUTION NO. 109-81

KEVIN HANEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kevin Haney against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 16, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 110-81

CALIFORNIA STATE AUTOMOBILE ASSOCIATION  
AND RICHARD PAIGE TIMEPEICES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California State Automobile Association and Richard Paige Timepeices against the City and County of San Francisco in the sum of \$391.06 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: July 2, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 111-81

CALIFORNIA CASUALTY INSURANCE  
AND HELEN SWAILS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California Casualty Insurance and Helen Swails against the City and County of San Francisco in the sum of \$1,479.67 as the result of



a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: July 14, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 112-81

JOHN DAVID MARTIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John David Martin against the City and County of San Francisco in the sum of \$85.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 113-81

MOLLY J. CORBETT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Molly J. Corbett against the City and County of San Francisco in the sum of \$40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 28, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 114-81

DONNA I. EPSTEIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Donna I. Epstein against the City and County of San Francisco in the sum of \$95.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 12, 1981 through  
January 30, 1981.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 115-81

POWELL TOWING SERVICE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Powell Tow Service against the City and County of San Francisco in the sum of \$55.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 4, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 116-81

STEVE PLOYHAR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Steve Ployhar against the City and County of San Francisco in the sum of \$45.00 as the result of a faulty tow, be, and the





same is hereby approved.

Date of Incident: February 7, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 117-81

HAZEL RUDOMETKIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Hazel Rudometkin against the City and County of San Francisco in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 16, 1980 through  
January 8, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Captain Charles F. Ellis Field Operations, for service, effective February 2, 1981.
- b) Captain Joseph E. Buckley, Field Training Headquarters, for service, effective February 11, 1981.
- c) Lieutenant Robert Cirimele, Taraval Station, for service, effective February 2, 1981.
- d) Sergeant George A. Carrozzi, Support Services Bureau, Central Warrants Division, for service, effective February 3, 1981.



- e) Inspector Wayne E. Clement, Support Services Bureau, Crime Laboratory, for service effective February 16, 1981.

The communications were ordered filed.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 118-81

AUTHORIZING ATTENDANCE OF LIEUTENANT DANIEL J. MURPHY, INTELLIGENCE DIVISION, AT THE LAW ENFORCEMENT HYPNOSIS SEMINAR, AT LOS ANGELES, CALIFORNIA, FROM MARCH 26, 1981 TO MARCH 29, 1981.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Daniel J. Murphy, Intelligence Division, be detailed to attend the Law Enforcement Hypnosis Seminar at Los Angeles, California, from March 26, 1981 to March 29, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Daniel J. Murphy, Intelligence Division, in a sum not to exceed \$797.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 119-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Sergeant Robert Fife) \$123.00 (Firearms Instruct-  
Personnel & Training) each (ors' Training





Police Officer Jerry)	(Course, at Alameda,
Salvador )	(California, from
Personnel & Training)	(January 26, 1981 to
	(February 6, 1981.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

#### POLICE COMMISSION REPORT

Commissioner Murphy said what she would like to discuss isn't exactly a report but there is a graduation class tomorrow evening and she would like to know who, from the Commission, would be going because she would go if there were not enough Commissioners going, or if there were no Commissioners going.

Commissioner Sanchez said he had initially planned to go but he now has a number of other things to do with the University Review Committee at the Hospital and that he was glad that she had brought this subject up because it was a reminder for him.

Other Commissioners indicated an inability to make the graduation, so Commissioner Murphy said that although it would be difficult, she would be there to represent the Commission.

Commissioner Sanchez then said that the graduation of the Police Academy Class would be at A.P. Giannini Jr. High School, 39th and Ortega, at 8:00 p.m.

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy said that he had no report for the Commission this evening.

#### REQUEST OF INSPECTOR SAMUEL G. HAMILTON, BURGLARY DETAIL, TO ACCEPT A REWARD OF \$150.00 FOR THE RE- COVERY OF VALUABLE EQUIPMENT STOLEN IN A BURGLARY.

Commissioner Nelder said he would make a motion of approval for Inspector Samuel Hamilton to receive this award. He said Sam Hamilton is a very fine Police Inspector who does a very good job and is



now presented with this opportunity to be rewarded so he would move approval.

Commissioner Toler seconded and it was unanimously approved.

PERMISSION TO ACCEPT A REWARD - APPROVED

The request of Inspector Samuel G. Hamilton, Burglary Detail, for permission to accept a reward of One Hundred Fifty Dollars (\$150.00) for the recovery of valuable equipment stolen in a burglary, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

SETTING OF DATE FOR PUBLIC HEARING RELATIVE TO PROPOSED DEPARTMENT GENERAL ORDER, "NOTIFICATION OF COMMAND STAFF REGARDING SERIOUS INCIDENTS."

Deputy Chief Shannon said this item is actually on the Calendar tonight for adoption. He said the Department has had meetings with the San Francisco Police Officers' Association on it and there is one minor change that the Police Officers' Association has asked, and it is on Page 3 of the proposed General Order. He said Section V "Police Officer involved in a shooting where someone else is injured," the Police Officers' Association has requested an additional item to include, notification of the San Francisco Police Officers' Association if death results in this case, because it would be a traumatic moment for the officer and they feel they would be able to help him.

Commissioner Murphy indicated that she would like notification made to the Secretary of the Police Commission in one of the sub-sections to the order, and Commissioner Sanchez said that he noticed in some of the notification sections the Secretary of the Police Commission is listed and others he is not. He said he would like to know if the Commission would also consider that there be a consistency across all of the serious incidents so that this way the Secretary to the Commission could be notified, preferably after either the Commander, or the Chief, or whichever, but basically, he would be notified



pertaining to any of the serious incidents and he, in essence, would notify the Commission per se.

He said the Commissioners, on many occasions have been asked about things that have happened and have not been informed, and in some cases some Commissioners have been notified and some haven't, and it was his feeling that the Commission had to shore up its own communications.

Commissioner Daly said that she would move to amend the order to reflect that these incidents include the Secretary of the Commission.

Commissioner Murphy seconded and it was unanimously approved.

The Commissioners then, after Commissioner Toler's motion for approval of the Order as amended and seconded by Commissioner Murphy, unanimously approved the General Order "Notification of Command Staff Regarding Serious Incidents."

RESOLUTION NO. 120-81

GENERAL ORDER R-2, "NOTIFICATION OF COMMAND STAFF REGARDING SERIOUS INCIDENTS" - APPROVED

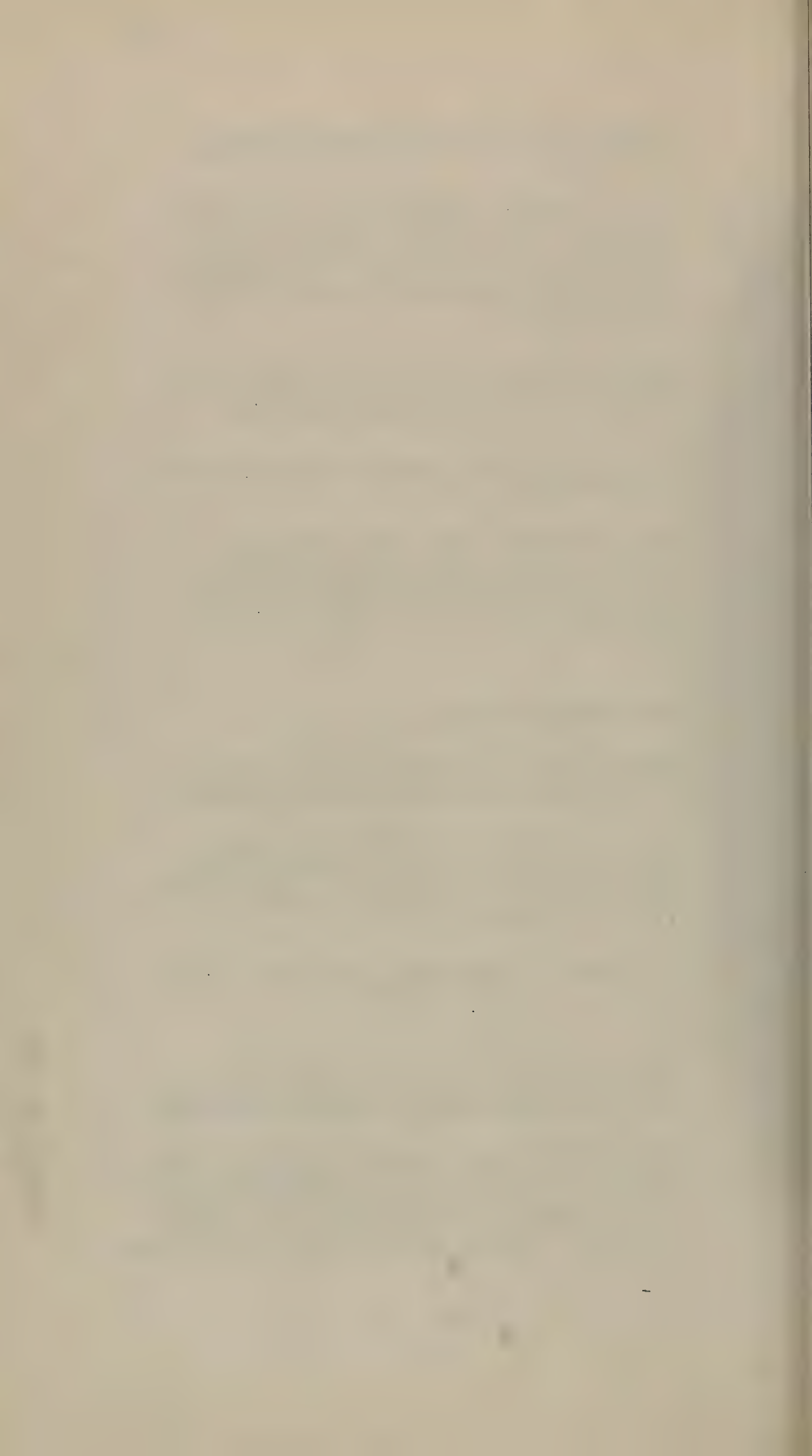
RESOLVED, that the Police Commission hereby approves that the Department General Order R-2, "Notification of Command Staff Regarding Serious Incidents," is hereby approved for issuance.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

SETTING OF DATE FOR PUBLIC HEARING RELATIVE TO PROPOSED GENERAL ORDER A-2, "RECORD DESTRUCTION."

Deputy Chief Shannon said this item is the same as the other one and is on the agenda tonight for adoption. He said there is one minor change and it is on page two of the proposed General Order, it is #III a) 2 & 3. He said the General Order states that the responsibility for additional forms





and records should be the Legal Office. He said the Legal Office is really not the proper location for that and it should be the Deputy Chief of Support Services, and with that amendment, the department request it be adopted.

Commissioner Murphy then moved for the adoption which was seconded by Commissioner Toler and unanimously approved by the members of the Commission.

RESOLUTION NO. 121-81

GENERAL ORDER A-2, RECORD DESTRUCTION - APPROVED

RESOLVED, that the Police Commission hereby adopts the proposed General Order A-2, Record Destruction.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 122-81

HEARING OF POLICE OFFICER JOSEPH F. ENGLER,  
MISSION POLICE STATION

WHEREAS, the date for the hearing of the disciplinary charges filed against Police Officer Joseph F. Engler, Mission Police Station, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. George J. Engler, attorney for Police Officer Joseph F. Engler, that the date for the hearing before the Police Commission be continued until after the criminal matter against Police Officer Joseph F. Engler has been adjudicated; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Joseph F. Engler, Mission Police Station, is set for Wednesday, March 25, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



REQUEST FOR SUPPLEMENTAL APPROPRIATION TO  
ENABLE THE POLICE DEPARTMENT TO ASSIGN POLICE  
OFFICERS ON AN OVERTIME BASIS TO RIDE MUNICI-  
PAL RAILWAY VEHICLES.

Deputy Chief Shannon said the amount of this supplemental request is \$245,552 dollars. He said this money became available when the Department transferred the Muni Transit Division from CETA to Police Department funding and received 15 people appointed on Federal Funds. He said the Department was then going out to recruit 15 people but never quite got around to hiring them.

He said the Chief now feels it is more appropriate to have police officers, so this dollar amount will pay for 29 EWW police officers per day from April through the end of the fiscal year. He said, then, starting the new fiscal year, the Department will have the new transit company with 50 officers and by a transfer of money there will be 50 EWW watches going to the stations where the officers will be drawn from.

He said the Transit Officers will be phased out and the Department is looking for positions within the city that they may be able to fill.

Commissioner Nelder said he feels that the Chief has clearly demonstrated that it is a police officers job to police the Muni Railway, and it was done so by the members assigned who made large numbers of arrest in just two or three weeks as opposed to the Muni Transit Officers who were ineffective when it came to making the same kinds of arrests over a one (1) year period.

He then moved for approval.

Commissioners Daly seconded and it was unanimously approved.

RESOLUTION NO. 104-81

REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO ENABLE  
THE POLICE DEPARTMENT TO ASSIGN POLICE OFFICERS ON  
AN OVERTIME BASIS TO RIDE MUNICIPAL RAILWAY VEHICLES.

RESOLVED, that the Police Commission hereby approves the Supplemental Appropriation to enable the Police Department to assign Police Officers on an overtime basis to ride Municipal Railway Vehicles.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez





PUBLIC HEARING ON THE ISSUANCE OF AN  
AUCTIONEER PERMIT, 10TH AND HARRISON  
STREETS, SAN FRANCISCO

Officer Joseph Hession of Southern Police Station appeared before the Commission on this matter and said his station recommends approval. He said the location is the old Falstaff Brewery on 19th and Harrison. He said the applicant has been checked as to criminal records and has none. He said the old brewery is being renovated and this person plans to hold auctions to auction off all the property connected with it.

Commissioner Toler then moved for approval and it was seconded by Commissioner Murphy.

It was then unanimously approved.

RESOLUTION NO. 123-81

PUBLIC HEARING ON THE ISSUANCE OF AN AUCTIONEER  
PERMIT.

WHEREAS, the Police Commission on March 4, 1981, heard the application of Steve J. Dorfman, for the issuance of an auctioneer permit at 10th and Harrison Streets, San Francisco; and

WHEREAS, applicant appeared in person and presented oral testimony in support of his application; and

WHEREAS, written recommendations of approval were submitted from Southern Police Station, and other appropriate City agencies; therefore be it

RESOLVED, that the Police Commission in accordance with the provisions of Sections 1250 and 1253 of the San Francisco Municipal Code (Police Code) does hereby grant to Steve J. Dorfman an Auctioneer's Permit at 10th and Harrison Streets, in the City and County of San Francisco.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



PUBLIC HEARING ON APPLICATIONS TO DETERMINE  
PUBLIC CONVENIENCE AND NECESSITY FOR THE ISSU-  
ANCE OF VEHICLE FOR HIRE PERMITS. (CONTINUED  
FROM THE MEETING OF FEBRUARY 11, 1981).

Commissioner Sanchez advised the parties who had signed up to speak that they would be called three at a time with all parties making their way to the podium and being prepared to speak immediately after the 1st party has finished. He said there will be a time limit of 5 minutes per person with some taking less, if desired.

He said the Commission was interested in finding out whether the speakers are speaking either in favor of expanding the now available permits and, if so, why, or else if the speaker is speaking in opposition of that and, if so, why, and in this way the Commission could continue to hear the documentation brought before the Commission pertaining to its inquiry to this matter.

The speakers were as follows:

Susan C. Ramsey (Pro)  
Luxor Cab

Marv Gralnick (Con)  
DeSoto Cab

Jim Walsh-Owner-Operator (Con)  
Yellow Co-op

James J. Smith-Owner-Operator (Con)  
Yellow Co-op

William Lazar (Con)  
Luxor Cab

Eugene R. Leyval (Con)  
Cal. Taxicab Owners Association

Art Lembke (Con) Submitted photographs &  
Literature as evidence.

Emory Speck (Pro)  
Veterans Cab Co.

Ron Urbina (Pro)

Allen Winston (Con)  
Driver-Yellow Cab

Bud Fong (Pro)

Dirk Neyhart (Con)

Joh G. Dillman (Pro)  
National Cab Manager



James E. Steele (Con)  
Yellow Cab Co-op Inc.

Darrell Salomon (Pro)  
San Francisco Taxi Drivers Association

Herman Wikkeling (Con)  
City Cab

Tom Richey (Con)  
Local 265 I.B.T.

Bob Franklin (Con)  
Chauffeur's Union-Local 265

Mark Forester (Pro)

Commissioner Sanchez said that after listening to all of the speakers, the Commission has followed its rules and procedures and then he said, let me just summarize: "Again this was the second public hearing pertaining to Public Necessity and Convenience. We have heard statements from a number of people. We have heard names mentioned. Initially, I was not going to allow names to be mentioned, but I think there was sort of a spirit of just good friendship even though people know each other, or whatever, the fact of the matter is that many, many statements have been made from both sides, which the Commission has received and documented. We have conducted an initial inquiry into what, in fact, is going on. We are receiving additional documentation, we have requested studies from both sides. The Commission itself will take a very sharp look at both responses and some of the cab units themselves. We are not about to make a recommendation on whether we need the same, or more, until a critical review is completed and studied by the Commission in a rational manner, period. I would like to request of the Commission at this point, because we have a great deal of documentation presently before us, because we have initial documentation, including some of the reports by the Airport Commission and other City agencies, namely the Senior Citizens, etcetera, that we hold this matter for 30 days until such time as we can set a hearing, roughly 30 days from now, to discuss our findings in total and then come to a, either a partial conclusion....or ask for an extension if, in fact, we don't have all of the documentation here at the time. The same time, all of the documentation that has been presented tonight, including studies that have been cited, materials that was presented at the last hearing, will be available in the Police Commission Office. We don't have a budget, a large budget, but if you want to xerox it, it is a matter of public record and you and your colleagues, and friends, regardless of what side, whatever, will have a right to this.





I would like to personally thank you on behalf of the Commission for the orderly manner in which we have had in the past two Public Convenience and Necessity inquiries. We know it's a very, very touchy subject, and at the same time, we appreciate the cooperation and, again, the Staff cooperation in listening to many statements made that I know many of you don't agree with from either side, and many comments made, but that's the beauty of the democratic process in the hearing.

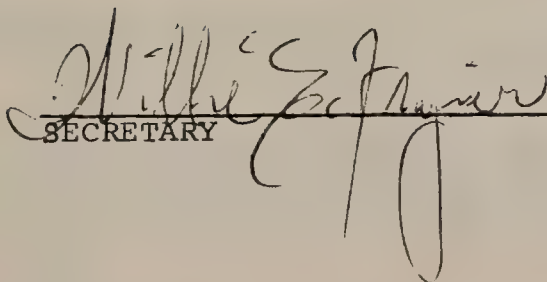
At this point, I would wish, if at all possible, 30 seconds of silence in memory of Albert Hohl, who was a cab driver for San Francisco for, I believe 29 years, in his memory."

A motion was then made for putting this matter on the calendar in 30 days for setting a date for subsequent hearings and it was unanimously approved.

The Commission then adjourned its meeting.

(All matters were taken in shorthand form during the course of this meeting by shorthand reporter Linda Pransky.)

The Commission then adjourned its meeting at 8:10 p.m.

  
\_\_\_\_\_  
SECRETARY



11 MARCH 1981

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 11, 1981, at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

DOCUMENTS DEPT.

Commissioners Sanchez presiding.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

50 OAK STREET - CATHOLIC SOCIAL SERVICE

- a) At 50 Oak Street, install a 26' blue zone to replace meters No. 28 and 30.

2200 LOMBARD STREET - PIZZERIA UNO

- a) At 2200 Lombard Street, install a 38' white zone, extending from east property line 38' west of same.
- b) Meter #2204 to be removed.

300 SENECA - SAN MIGUEL CHILDREN CENTER

- a) At 300 Seneca, install a 22' white zone, extending from 28' to 50' west of west crosswalk Delano & Seneca school bus zone.

3017 SAN BRUNO - CUSTOM TYPOGRAPHY SERVICE

- a) At 3017 San Bruno, install a 22' yellow zone, extending from south property line 22' north of same.





898 LARKIN STREET - RODEWAY INN

- a) At 898 Larkin Street, install a 44' white zone, extending from 8' to 52' south of north property line.

895 GEARY - RODEWAY INN - REVOKED

- a) At 895 Geary Street, revoke existing 22' white zone, extending 22' east from west property line.

3020 WAWONA - ULLOA SCHOOL - REVOKED

- a) At 3020 Wawona, revoke existing 60' white zone, extending from 10' to 70' west of 41st Avenue.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 82 feet of white zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Captain Francis B. Syme, Support Services Bureau, Communications Division, for service, effective February 1, 1981.
- b) Lieutenant Edward L. Epting, Mission Police Station, for service, effective January 28, 1981.



- c) Police Officer Joseph B. Meehan,  
Taraval Police Station, for service,  
effective February 3, 1981.
- d) Police Officer Charles J. Sandoval,  
Central Police Station, for service,  
effective February 3, 1981.
- e) Senior Clerk-Typist Doris M. Folk,  
Support Services Bureau, Records  
Division, for service, effective  
February 1, 1981.

The communications were ordered filed.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 124-81

JOE BARRETT

RESOLVED, that the recommendation  
of the City Attorney for settlement of the  
claim of Joe Barrett against the City and  
County of San Francisco in the sum of \$35.00  
as the result of a faulty tow, be, and the  
same is hereby approved.

Date of Incident: January 5, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 125-81

AGATHE BENNICH-BYKLE

RESOLVED, that the recommendation  
of the City Attorney for settlement of the  
claim of Agathe Bennich-Bykle against the City  
and County of San Francisco in the sum of  
\$20.00 as the result of a faulty tow, be, and  
the same is hereby approved.

Date of Incident: January, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 126-81

CECIL RICHARD BIDDLE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Cecil Richard Biddle against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 27, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 127-81

MARK BIRD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mark Bird against the City and County of San Francisco in the sum of \$90.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 128-81

HOWARD R. BROWN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Howard R. Brown against the City and County of San Francisco in the sum of \$45.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 31, 1980 through  
November 4, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez





RESOLUTION NO. 129-81

DORENE M. CURTIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dorene M. Curtis against the City and County of San Francisco in the sum of \$45.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 13, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 130-81

COLETTE K. ERRECA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Colette K. Erreca against the City and County of San Francisco in the sum of \$45.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 12, 1981 through  
January 15, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 131-81

PERRY L. HAWKINS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Perry L. Hawkins against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 25, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 132-81

NANCY C. KOCOL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nancy C. Kocol against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 29, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 133-81

LINDA A. LENARDS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Linda A. Lenards against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 16, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 134-81

WILSON H. MILLER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Wilson H. Miller against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 6, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez





RESOLUTION NO. 135-81

WILLIAM T. STORM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William T. Storm against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 21, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 136-81

LAWRENCE R. WEISBERG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lawrence R. Weisberg against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 16, 1981 through  
January 24, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 137-81

JERRY TUJIAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jerry Tujian against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 19, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 138-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Inspector George E. Matelli	)	\$1,001.00	(Explosive Ord-
Intelligence Unit	)	each	(nance Disposal
	)		(Training Course-
Police Officer Jeremiah Morgan	)		(U.S.Army, Hunts-
Tactical Division	)		(ville, Alabama,
			(from February 1,
			(1981 to February
			(6, 1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 139-81

AUTHORIZING ATTENDANCE OF LIEUTENANT RICHARD D. KLAPP, DEPARTMENT TRAINING MANAGER, AT THE F.B.I. BUREAU OF INVESTIGATION NATIONAL ACADEMY, AT QUANTICO, VIRGINIA, FROM MARCH 29, 1981 TO JUNE 12, 1981.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Richard D. Klapp, Department Training Manager, be detailed to attend the F.B.I. Bureau of Investigation National Academy at Quantico, Virginia, from March 29, 1981 to June 12, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that all travel expenses will be paid by the U. S. Department of Justice with \$500.00 to be advanced to Lieutenant Klapp from the Department Training Fund for purchase of required training materials and to supplement the minimal allowance for subsistence.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez



POLICE COMMISSION REPORT

Commissioner Sanchez: "Lieutenant, I received correspondence this afternoon, I wish you would read into the record on this for Police Commission Report and then we could proceed with the Commission.

Lieutenant Frazier:

"CHAUFFEURS' UNION LOCAL NO. 265  
Affiliated with  
I.B. of T., C.W. & H. of A.  
337 VALENCIA STREET  
San Francisco, Calif. 94103  
Phone 861-0323

March 10, 1981

Dr. David J. Sanchez, Jr., Pres.  
San Francisco Police Commission  
Hall of Justice  
850 Bryant St.  
San Francisco, Calif. 94103

Dear Dr. Sanchez:

On behalf of the Officers and members of Chauffeurs Local 265, please convey our sincere appreciation to your Commission and the men of the Department for all of the assistance given to us with Brother Hohl's funeral. The motorcycle officers were real "pros," and we cannot praise them too highly.

Let us hope that working together we can insure that we will never again have a funeral for a murdered cab driver.

Sincerely,

FTR:md  
OPE 3 AFL-CIO (47)

s/ F. Thomas Richey  
F. Thomas Richey  
Secretary-Treasurer"

Commissioner Sanchez: "Thank you Lieutenant. I just wanted to make that a matter of record that we just got that this afternoon, and there has been a great deal of concern pertaining to violence in the city and, also, what the Department is doing about it, and our image, and what we are doing as far as supportive services, or whatever, and I thought that would be appropriate for us to share at this point."





Commissioner Murphy: "I addressed, as an individual, the Board of Prison Terms and Parole at 545 Downtown Plaza, Suite #205, Sacramento, California, 95814, the following: 'Dear Sirs, I understand from the Media that on May 1st you will determine whether Dan White should have his sentence for killing two people reduced. Since the original sentence makes a mockery of our justice system surely you can't possibly think of lightening his sentence nor paroling him. It would be an insult to all decent people. Yours very truly, Jane McKaskle Murphy.' I would like to ask the Commission to send a letter in the same spirit to this Board of Prison Terms and Parole before May 1st, in time for that May 1st hearing so that they would get the sense of the committee, I so move."

Commissioner Daly: "I would second that motion."

Commissioner Sanchez: "Fine, there is a motion and a second, is there any discussion by the Commission pertaining to the motion before us? If not, all in favor state Aye. Unanimous Ayes. The motion carries."

Lieutenant Frazier, could you draft a letter for the Commission to review and then this way we could have it approved at the next meeting prior to the May 1st Hearing.

Any other items Commissioner Murphy?"

Commissioner Murphy: "I wanted to ask the Chief about the Budget. Usually by January we have at least some kind of a budget to look at, I would like to get it before it is all wrapped up with Blue Ribbons."

Chief Murphy: "Okay, we have been working on the Budget Process and as you may recall last year there was a problem of shifting gears several times with the Mayor's Office, and that problem has surfaced again, and it was put to rest today, and I believe...the next meeting? There will be a copy of the Budget sent out to you on Friday, and you can review it at the next Commission meeting."

Commissioner Murphy: "Oh good, and when do you have your meeting with the Mayor?"

Chief Murphy: "With who?"



Commissioner Murphy: "The Mayor."

Chief Murphy: "We had it today."

Commissioner Murphy: "Well, that's not the final Budget Hearing was it?"

Chief Murphy: "No, no we haven't presented the final Budget yet, it was just a matter of a budget as opposed to putting certain items into the Budget or requesting them by supplemental appropriation, and that issue has been resolved."

Commissioner Murphy: "I see, are we having a performance budget this year or not?"

Chief Murphy: "Next year."

Commissioner Murphy: "Next year."

Chief Murphy: "Next fiscal year."

Commissioner Murphy: "I hope I live long enough on this Commission to see a Performance Budget."

Chief Murphy: "I hope you do too."

Commissioner Murphy: "I have been asking about every year since I have been here. Thank you."

Commissioner Sanchez: "Further discussion by the Commission?"

Commissioner Daly: "I am sorry, I was...."

Commissioner Sanchez: "Commissioner Daly?"

Commissioner Daly: "Are you saying that we are not going to have any part of our Budget, will be a Program Budget this year?"

Chief Murphy: "No, we have the Performance Goals and Objectives in place, and we are working on those now, and next fiscal year those will be put into the Budget. We are working on Performance Goals which ties in with the





Performance Budget, but for this year we are not going to have it, it is scheduled for the next fiscal year. In the meantime we have set goals and objectives and we are working along those lines. It is kind of a dry run that is what it really amounts to for this year without the fiscal price tag."

Commissioner Daly: "Thanks."

Commissioner Sanchez: "Further discussion?"

Commissioner Murphy: "Yes, I had one other question. I seem to have gotten two of these Conflict of Interest Statement forms. I don't know why I was so favored, but it is on those statements we have to make on our annual statement of Economic Interest for Designated Employees. Last year and the year before, we have to do this every year....."

Commissioner Sanchez: "Jo, didn't get one."

Commissioner Murphy: "Oh you didn't get one? Okay, you can have that. Well last year or the year before, I think since the original one I did, my circumstances haven't changed a bit and they just took care of it in some office and I don't know what office it was; maybe they just copied it from last year."

Chief Murphy: "Well, the Lieutenant can help you out with that."

Commissioner Nelder: "Going on to more important things than Budget and all of those sorts of things, what's the situation in the cab world out there in violence and robberies?"

Chief Murphy: "Okay, we have the undercover officers out in the cabs. They have been out for about a week, or week and a half, and they have made, I believe, upwards of 36 arrest and most of them are felony arrest. There have been a lot of weapons confiscated and generally the plan is off and running to a very good start."

Commissioner Murphy: "How many felony arrest did you say?"

Chief Murphy: "36. Some of them were misdemeanors but most of them were felony arrest."



On the brighter side of the picture there has been an arrest made on the murderer of the cab driver. There was a 17 year old girl taken into custody today. So the program is working good and there is a very good chance we will even expand it beyond the limited number of cabs we have now. We have virtually an unlimited number of cabs available to us and I think we are going to use quite a few of them. One other item came up at the meeting that the Robbery Detail had last night with the cab drivers and the Union, was the issue of allowing officers to drive taxi cabs as secondary employment. Of course, that is contrary to our existing policy, but I would like to discuss that with the Commission at some future date.

The Muni Transit Program is going along exceptionally well, I believe we are up to about 280 arrest in just slightly over a month, that's working out very, very good."

Commissioner Sanchez: "Thank you Chief. Next item."

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy called upon Sergeant Al Benner to address the Commission on the Department's Recruitment Drive.

He gave each of the Commissioners a packet and then verbally highlighted some of the details of the campaign.

He said the Chief held a press conference last Thursday announcing the launching of the drive and made specific comments on the Department's desire to have more qualified female candidates. He said they have female officers assigned to the program and have also enlisted the services of all aspects of the news media to assist with the recruitment campaign.

The Commission then skipped to item number 12 as Lieutenant Trueb was waiting to briefly advise the Commission on its development.

SURRENDER OF GRAYLINE SIGHTSEEING PERMITS. -  
(CONTINUED FROM THE MEETING OF FEBRUARY 25,





1981) - CONTINUED OFF CALENDAR

Lieutenant Trueb reported that the attorneys for Grosvenor Bus Lines had withdrawn their request to conditionally surrender their permits to the Department. He said he had been in personal contact with the City Attorney and with the gentlemen representing Graylines.

He said the Legal Office's position from a legal point of view has changed slightly and that he communicated that position to the representatives of Grayline stating that notwithstanding the Legal Office's understanding of the law that he would now recommend to the Commission that the Commission take the position of a declaratory body and make an official statement which is that they desire it to be brought forth by a court order. He said he then advised them that if they had a problem with their permits that they should communicate with the Tax Collector if they were concerned about the seat tax, and if they wanted to get a City Attorney's Opinion then he, the Tax Collector, could ask for it, but as far as the Legal Office's recommendation, it stands that they had a clear understanding of the law and that they did not believe this Commission has any authority over the Sightseeing business as long as it is under the Public Utilities Commission permit, but on the other hand, it's a question of appropriateness of this body making a declaration statement to that effect, and the second point is, he said, was his personal opinion in that it was slightly different than the one from his own legal counsels because he did not believe that this Commission had the authority to accept those permits conditionally at all, as the law is clear also in that respect. He said, so, to that end he did confer with the City Attorney personally and with his staff, Mr. Diaz, and some others, and resolved the problem and communicated the Legal Office's position which he was going to officially recommend to the Commission tonight. The Public Utilities Commission apparently understood that and they withdrew the matter. He said he would be glad to answer any further questions the Commission has on the issue.

Commissioner Nelder said he thought the Lieutenant had said it very well and the Commission thanked him for his remarks, and also wanted to pay tribute to his fellow Commissioners for being very obstinate and not approving this too readily.

He said he would move to file this matter at this time.

Commissioner Murphy seconded the motion and it was unanimously approved.





Commissioner Sanchez then recommended that item #10 be heard at this time.

PRESENTATION OF THE 1981/82 BUDGET FOR THE SENIOR ESCORT OUTREACH PROGRAM.

Lieutenant Frank Jordan reported to the Commission that this particular Budget, under discussion at this meeting, will not be coming from the Police Department at all and that it will be funded by the Commission on the Aging, and will not be affecting the Police Department Budget. He said this is a matter that he felt he did not have to familiarize the Commission with as he has been through it with this Commission before.

He said they have 7 target neighborhoods around the high crime and high density population areas, where they are serving senior citizens dealing with escorting them to and from a variety of different places. He said there are a number of different escorts and the best way to describe it to the Commission is to say that in the last 2 and ½ years they have now had 102,301 protective escorts, and not at any time with anyone of those escorts have they had any injuries, or any kind of crime occurring to anyone of those senior citizens.

He then called upon Ms. Thelma Kavanagh, Mr. Rory Stark and Mr. Mark Forrester who all made presentations to the Commission on different facets of the Senior Escort Program.

Lieutenant Jordan said they all did an outstanding job on National TV when the program was aired a short while ago. He also asked Sergeant Dennis Gustafson of the Crime Education Unit to give the Commission some statistics on crime in the city so that they may get a picture of how they have been working with the Escort Service, particularly the Walking Guard Service.

After listening to the above-named parties, the Commissioners approved the supplemental appropriation request as submitted for the Senior Escort Outreach Program and commended everyone for their outstanding presentations.

RESOLUTION NO. 140-81

REQUEST FOR A SUPPLEMENTAL APPROPRIATION FOR



THE FUNDING OF THE SENIOR ESCORT-OUTREACH  
PROGRAM FOR THE FISCAL YEAR 1981/82

RESOLVED, that the Police Commission hereby approves the request for a supplemental appropriation for the funding of the Senior Escort Outreach Program for the Fiscal Year 1981/82.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 141-81

AUTHORIZING THE SAN FRANCISCO POLICE DEPARTMENT TO ACCEPT A GIFT FROM MR. JOHN BRACCO AND THE ANHEUSER-BUSCH/BRACCO DISTRIBUTING COMPANY OF A HORSE AND NECESSARY OUTFITTING EQUIPMENT OF A VALUE OF APPROXIMATELY THREE THOUSAND (\$3,000.00) DOLLARS

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WHEREAS, Mr. John Bracco and the Anheuser-Busch/Bracco Distributing Company have expressed a desire to donate a horse and outfitting equipment for the use of the San Francisco Police Department Mounted Unit; and

WHEREAS, this civic-minded gesture will provide needed assistance in the protection of life and property in San Francisco; and

WHEREAS, Section 10.116 of the San Francisco Administrative Code allows for the acceptance of gifts by the department head of only those gifts to the City and County of San Francisco of a value of One Thousand (\$1,000.00) Dollars or less; and

WHEREAS, it is necessary for a resolution by the Board of Supervisors to authorize the acceptance of gifts in excess of this amount; and

WHEREAS, the generous gift from Mr. John Bracco and the Anheuser-Busch/Bracco Distributing Company will be of a value of approximately Three Thousand (\$3,000.00) Dollars; now, therefore, be it

RESOLVED, that the Board of Supervisors of the City and County of San Francisco hereby





authorizes the Chief of Police to accept, on behalf of the City and County of San Francisco, a gift from Mr. John Bracco and the Anheuser-Busch/Bracco Distributing Company of a horse and outfitting equipment to be used by the San Francisco Police Department Mounted Unit.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

SETTING OF DATE FOR PUBLIC HEARING RELATIVE TO THE REVISION OF GENERAL ORDER A-1, WRITTEN COMMUNICATION SYSTEM.- CONTINUED FOR TWO (2) WEEKS.

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AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

SETTING OF DATE FOR PUBLIC HEARING RELATIVE TO THE AMENDED LIGHT DUTY POLICY.- CONTINUED FOR TWO (2) WEEKS.

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AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECEIPT OF GENERAL ORDER Z-1, "SEARCH WARRANTS RELATED TO DRUG AND ALCOHOL ABUSE REHABILITATION." (COPIES SENT TO EMPLOYEE ORGANIZATIONS.) - CONTINUED FOR TWO (2) WEEKS.

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AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECEIPT OF GENERAL ORDER NO. 1-2, RELATIVE TO "CHARGING VIOLATIONS OF PROBATION OR PAROLE." (COPIES SENT TO EMPLOYEE ORGANIZATIONS.) - CONTINUED FOR THREE (3) WEEKS.

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AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez



RESOLUTION NO. 142-81

HEARING OF GRIEVANCE NO. 21-80, FILED BY  
SERGEANT GEORGE WALLACE, SUPPORT SERVICES  
BUREAU-CENTRAL WARRANT DIVISION.

WHEREAS, the hearing of Grievance No. 21-80 filed by Sergeant George Wallace, Support Services Bureau-Central Warrants Division, was called, it having been set for this date; and

WHEREAS, it was requested by Paul C. Chignell, Vice President, San Francisco Police Officers' Association, that Sergeant Wallace's hearing of Grievance No. 21-80 be continued until March 25, 1981; therefore be it

RESOLVED, that the hearing of Grievance No. 21-80 filed by Sergeant George Wallace, Support Services Bureau-Central Warrants Division, is set for Wednesday, March 25, 1981, at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

The Commission then adjourned its meeting  
at 6:31 p.m.

  
\_\_\_\_\_  
SECRETARY



18 MARCH 1981

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 18, 1981 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

Commissioner Sanchez presiding.

The Commissioners having received, amended and returned copies of the minutes of the meeting of February 4, 1981, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RECOMMENDATION OF THE TRAFFIC BUREAU

Under Traffic matters Sergeant Newlin requested the Department be allowed to change its recommendations on items 4, 2800 Van Ness Avenue, the Peacock Restaurant and 5, 1390 Lombard, the Peacock Restaurant, because he had just spoke to the individual, who is also present tonight and, who indicated to him that he has documentation of Valet Parking and a lease with the Parking Garage across the street, and additional facts also came to light that there were several other businesses in the building which will share the Yellow zone. He said so at this time he would like to recommend granting items 4 and 5.

Commissioner Nelder moved for approval and Commissioner Toler seconded.

It was then unanimously approved.

The entire Consent Calendar, thereafter, was approved.





RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

550 BAYSHORE - FLOORCROFT HOME AND GARDEN CENTER

- a) At 550 Bayshore, install a 66' green zone, extending from 78' to 144' south of north property line.

1148 TAYLOR STREET - REGAL TRAVEL

- a) At 1148 Taylor Street, install a 22' green zone, extending from south property line 22' north of same.

602 BEACH STREET - CANNERY CINEMA

- a) At 602 Beach Street, install a 44' white zone, extending from 5' to 89' north of south property line.
- b) Sign on meter in white zone - 1 p.m., to midnite.

2800 VAN NESS AVENUE - PEACOCK RESTAURANT

- a) At 2800 Van Ness Avenue, install a 36' yellow zone, extending from north building line 36' south of same.

1390 LOMBARD STREET - PEACOCK RESTAURANT

- a) At 1390 Lombard Street, install a 36' white zone, extending from west property line 36' east of same.

1536 FUNSTON - COLUMBUS SCHOOL - REVOKED

- a) At 1536 Funston, revoke existing 120' white zone, extending 120' south of north property line.



3065 JACKSON STREET - S.F. UNIVERSITY HIGH  
SCHOOL - REVOKED

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- a) At 3065 Jackson Street, revoke existing 52' white zone, extending 52' east of west property line of building. Leaves 44' white zone.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 172 feet of white zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 143-81

ISSA ALAZZEH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Issa Alazzezh against the City and County of San Francisco in the sum of \$40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 19, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 144-81

WILLIAM M. HALL

RESOLVED, that the recommendation of the City Attorney for settlement of the





claim of William M. Hall against the City and County of San Francisco in the sum of \$475.58 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: January 7, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 145-81

MICHAEL LEROY FORE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael Leroy Fore against the City and County of San Francisco in the sum of \$307.20 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 24, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 146-81

BEN A. SEVELLI INSURANCE  
CENTER AND TRINA SMITH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Ben A. Sevelli Insurance Company and Trina Smith against the City and County of San Francisco in the sum of \$1,190.76 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 8, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 147-81

CHRISTINE C. STUART OR  
RICHARD ALLEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Christine C. Stuart or Richard Allen against the City and County of San Francisco in the sum of \$336.67 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 3, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 148-81

CALIFORNIA STATE AUTOMOBILE  
ASSOCIATION AND AGNES JAKOBSEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California State Automobile Association and Agnes Jakobsen against the City and County of San Francisco in the sum of \$457.61 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 8, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 149-81

CIVIC CENTER TOWING, INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Civic Center Towing, Inc., against



the City and County of San Francisco in the sum of \$100.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 28, 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 150-81

STEPHEN J. GILMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Stephen J. Gilman against the City and County of San Francisco in the sum of \$517.54 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 22, 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 151-81

SUEY YEONG YEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Suey Yeong Yee against the City and County of San Francisco in the sum of \$283.19 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 10, 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez





RESOLUTION NO. 152-81

VIRGINIA KOMM AND RICHARD A.  
KOMM AND THEIR ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Virginia Komm and Richard A. Komm and their attorney against the City and County of San Francisco in the sum of \$4,500.00 in compromise of Superior Court Action No. 720-640 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 15, 1977

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 153-81

JOHN J. WHELAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John J. Whelan against the City and County of San Francisco in the sum of \$1,037.50 in compromise of Superior Court Action No. 753-009 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 11, 1978

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 154-81

POLICE NARCOTIC FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy, in the amount of \$6,000.00 charging same to Index Code 580217 as an advance on the Police Narcotics Fund for the month of March, 1981.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 155-81

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy in the amount of \$4,000.00 charging same to Index Code 580217 as an advance on the Police Contingent Fund for the month of March, 1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

POLICE COMMISSION REPORT

Commissioner Murphy reported that a letter from the Board of Supervisors was sent to the Commission for its review and comment on a proposal submitted by Supervisor Carol Ruth Silver recommending a limitation on the term of office for Boards and Commissions. She asked if the Commission desired to discuss this proposal at this time.

Discussion on the matter was held resulting in the suggestion to continue it for a week to allow for more thought and perusal with subsequent discussion at the next Commission Meeting.

It was then continued for the Police Commission Report at the next meeting.

In discussing other matters, Commissioner Nelder said he would like to commend Examiner Newspaper Reporter Larry Maatz for his reporting of the Sting Operation of the San Francisco Police Department. He said the reporting to the public of this kind of information is beneficial to all and he would, at this time, take the opportunity to thank Mr. Maatz, the Examiner and certainly compliment the Department.

Commissioner Sanchez said he would also like to comment in that it was an excellent article and it really focuses upon a key area of law enforcement and how it was done uniquely in San Francisco.





Commissioner Nelder moved that a letter be sent to the Editor of the paper stating the fact that the Commission does feel that this degree of reporting is of the highest quality and portrays a very positive job pertaining to law enforcement in the city.

Commissioner Murphy seconded this motion and it was unanimously approved.

#### CHIEF'S REPORT TO THE POLICE COMMISSION

The Chief reported that he had two items: One, he said, has to do with an enforcement policy regarding private passenger vehicle parking in the yellow zones, particularly in the downtown area. He said, so effective April 1, 1981, the Department will be towing those vehicles out of the yellow zones. He said, passenger cars parking in the yellow zones take those areas away from the trucks who, in turn, double park, further negating the normal flow of traffic. He said the ticket fine will be 35 dollars plus towing fees and also the inconvenience of the owner of the car in having to respond to a station to obtain a release for the car.

He said the second item of his report has to do with issuing to a Mr. Harold Barlo, Inn Keeper at the Holiday Inn at Kearny and Washington Streets, a citizens award. He said over the years Mr. Barlo has graciously extended the hospitality of the Holiday Inn to the Police Department, particularly during such events like the Chinese New Years' Parade. He said Mr. Barlo has now been re-assigned to the Los Angeles area and will be a great loss to the San Francisco Police Department. He said, so tonight he would present to him a Certificate of Citizen Service Award which reads, "San Francisco Police Department's Citizen Service Award. This certificate is presented to Harold Barlo on behalf of the members of the San Francisco Police Department whom he has assisted through his personal efforts and outstanding dedication to professional standards. Mr. Harold Barlo has demonstrated the quality of leadership of exceptional measure in both the business community and in his association with the San Francisco Police Department for which we are sincerely grateful."



RECOMMENDATIONS OF THE AWARDS COMMITTEE -  
APPROVED

Commissioner Sanchez said he had the opportunity of chairing the Awards Committee Meeting last Friday and that there were seven (7) Gold Medals granted to several members. He said two of the applications received unanimous votes for Gold Medals. He said it was indeed an honor to share in the Committee discussions and recommendations. The matter was then scheduled by the Commission for their Calendar of April 8, 1981, in order for the Awards to be presented to the officers at that time.

RESOLUTION NO. 156-81

RECOMMENDATIONS OF THE AWARDS COMMITTEE -  
APPROVED

RESOLVED, that the following-named members of the Police Department, be, and they are hereby granted Awards of Valor- Gold Medal, Silver Medal and Bronze Medals, and Meritorious Conduct Awards, under the provisions of Sections 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department, as approved by the Awards Committee on Friday, March 13, 1981:

Lieutenatn Michael A. Brush.....Gold Medal of Valor  
Lieutenant Edward L. Epting.....Gold Medal of Valor  
Police Officer John J. Hanifin.....Gold Medal of Valor  
Sergeant Ronald D. Hansen.....Gold Medal of Valor  
Police Officer John C. Payne.....Gold Medal of Valor  
Police Officer Harry C. Pearson....Gold Medal of Valor  
Police Officer Richard T. Winiecki.Gold Medal of Valor  
Sergeant Marvin V. Dean.....Silver Medal of Valor  
Sergeant Marion D. Jackson.....Silver Medal of Valor  
Police Officer Robert S.  
Barrington.....Silver Medal of Valor  
Police Officer Todd L. Kawaguchi...Silver Medal of Valor  
Police Officer Paul F. Makaveckas..Silver Medal of Valor  
Police Officer Daniel G. Marr.....Silver Medal of Valor  
Police Officer Samuel R. Osborne...Silver Medal of Valor





Police Officer Jerome J. Senkir....Silver Medal  
of Valor

Police Officer Peter J. Siragusa...Silver Medal  
of Valor

Muni Transit Officer Austin L.  
Wilson.....Silver Medal  
of Valor

Sergeant Dennis P. Martel.....Bronze Medal  
of Valor

Police Officer Dale L. Allen.....Bronze Medal  
of Valor

Police Officer Gregory M. Lynch....Bronze Medal  
of Valor

Police Officer Robert N. Merino....Bronze Medal  
of Valor

Police Officer Mark E. Mino.....Bronze Medal  
of Valor

Police Officer Lawrence H. Ratti...Bronze Medal  
of Valor

Lieutenant Vernon D. McDowell.....Meritorious  
Conduct Award

Inspector Samuel G. Hamilton.....Meritorious  
Conduct Award

Inspector Gary P. Jiminez.....Meritorious  
Conduct Award

Inspector Kenneth R. King.....Meritorious  
Conduct Award

Inspector William F. Marweg.....Meritorious  
Conduct Award

Police Officer Leslie F. Adams....Meritorious  
Conduct Award

Police Officer Robert C. Hernandez..Meritorious  
Conduct Award

Police Officer James E. Ludlow....Meritorious  
Conduct Award

Police Officer Nicholas J. Rubino..Meritorious  
Conduct Award

Police Officer Lynn J. Smoot.....Meritorious  
Conduct Award

Technician Kathleen J. Brandin....Meritorious  
Conduct Award

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez





RESOLUTION NO. 157-81REWARDS GRANTED TO MEMBERS OF THE POLICE  
DEPARTMENT

WHEREAS, the following-named members of the Police Department have been commended for courageous service under the provisions of Sections 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission on Wednesday, March 18, 1981; and

WHEREAS, Chief of Police Cornelius P. Murphy, has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a)(4) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Lieutenant Michael A. Brush, Lieutenant Edward L. Epting, Sergeant Ronald D. Hansen, Police Officers John J. Hanifin, John C. Payne, Harry C. Pearson and Richard T. Winiecki, be, and they are hereby awarded Gold Medals of Valor and granted a reward of \$200.00 each, as provided for under said section of the Charter; and be it further

RESOLVED, that Sergeant Marvin V. Dean, Sergeant Marion D. Jackson, Police Officers Robert S. Barrington, Todd L. Kawaguchi, Paul F. Makaveckas, Daniel G. Marr, Samuel R. Osborne, Jerome J. Senkir, Peter J. Siragusa, and Muni Transit Officer Austin L. Wilson, be, and they are hereby awarded Silver Medals of Valor and granted a reward of \$100.00 each, as provided for under said section of the Charter; and be it further

RESOLVED, that Sergeant Dennis P. Martel, Police Officers Dale L. Allen, Gregory M. Lynch, Robert N. Merino, Mark E. Mino, and Lawrence H. Ratti, be, and they are hereby awarded Bronze Medals of Valor and granted a reward of \$50.00 each, as provided for under said section of the Charter; and be it further

RESOLVED, that Lieutenant Vernon D. McDowell (Deceased), Inspectors Samuel G. Hamilton, Gary P. Jiminez, Kenneth R. King, and William F. Marweg, Police Officers Leslie F. Adams, Robert C. Hernandez, James E. Ludlow, Nicholas J. Rubino, Lynn J. Smoot and Technician Kathleen J. Brandin, be, and they are hereby awarded Meritorious Conduct Awards and granted a reward of \$50.00 each, as provided for under said section of the Charter.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



PUBLIC HEARING ON THE ISSUANCE OF AN AUTO  
WRECKER AND SECOND-HAND DEALER PERMIT, 525  
PHELPS STREET, SAN FRANCISCO.

Officer Mike Mahoney from Potrero Police Station, said he had conducted an investigation at 525 Phelps Street regarding this application. He said his recommendation is one of approval in that the issuance of this permit would not cause any problems at this time. He said at no time would any of the vehicles, or parts of the vehicles, be visible from the public streets. He said the applicant was not able to appear at this time because he is currently vacationing in Hawaii.

The Commissioners then questioned the officer extensively regarding other such businesses located in the district as to their compliance with the requirements of City Codes, and as to the complaints or lack of same from Community Improvement Associations.

Thereafter, Commissioner Neider said that the policy of the Commission is that when an applicant applies for a particular permit, he or she should be here in person at the time that applicant's application is heard.

He then moved for the matter to be continued until at such time the applicant can appear in person before the Commission.

The matter was then continued for two weeks.

Commissioner Murphy then commended Officer Mahoney for his thoroughness in investigating this application and applicant, and for enlightening the Commission on the other like businesses in the district in response to their many questions.

RESOLUTION NO. 158-81

SETTING OF DATE FOR HEARING OF POLICE OFFICER  
MARTY L. WAY, CENTRAL POLICE STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Marty L. Way, Central Police Station, was called, it having been called for this date; and





WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Officer Marty L. Way, that Officer Way's hearing be set for April 29, 1981; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Marty L. Way, Central Police Station, is set for Wednesday, April 29, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 159-81

SETTING OF DATE FOR HEARING OF POLICE OFFICER KEVIN DEMPSEY, PARK POLICE STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Kevin Dempsey, Park Police Station, was called, it having been called for this date; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Officer Kevin Dempsey, that Officer Dempsey's hearing be set for April 29, 1981; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Kevin Dempsey, Park Police Station, is set for Wednesday, April 29, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 160-81

SETTING OF DATE FOR HEARING OF POLICE OFFICER LEONARD G. JEONG, CENTRAL POLICE STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Leonard G. Jeong, Central Police Station, was called, it having been set for this date; and



WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Officer Leonard G. Jeong, that Officer Jeong's hearing be set for April 29, 1981; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Leonard G. Jeong, Central Police Station, is set for Wednesday, April 29, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 161-81

SETTING OF DATE FOR HEARING OF POLICE OFFICER WILLIAM J. KELLY, MISSION POLICE STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer William J. Kelly, Mission Police Station, was called, it having been set for this date; and

WHEREAS, Police Officer William J. Kelly appeared in person and requested a postponement of thirty days for setting of a date for his hearing in order to allow him sufficient time to obtain legal counsel; and

WHEREAS, the Police Commission took Officer Kelly's request under advisement and instead of thirty days, granted him a postponement of two weeks for setting of a date for his hearing; therefore be it

RESOLVED, that the setting of a date for the hearing of the disciplinary charges filed against Police Officer William J. Kelly, Mission Police Station, is scheduled for Wednesday, April 1, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez



SETTING OF DATE FOR HEARING OF POLICE OFFICER  
JOHN MURPHY, CRIME PREVENTION AND EDUCATION  
UNIT. - CONTINUED FOR ONE (1) WEEK FOR SETTING  
OF DATE

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AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 162-81

HEARING OF POLICE OFFICER HERBERT ALBERT,  
PLANNING AND RESEARCH

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WHEREAS, the hearing of Police Officer  
Herbert Albert, Planning and Research, was  
called, it having been set for this date; and

WHEREAS, it was requested by Mr. Philip  
Scott Ryan and Mr. George Engler, Attorneys for  
Officer Albert, that his hearing before the Po-  
lice Commission be continued to no later than  
April 29, 1981 as Officer Albert is seeking dis-  
ability retirement; and

WHEREAS, Mr. Ryan, in his representa-  
tion of Officer Albert, advises that Officer  
Albert would submit his resignation from the  
department if he has not been granted a disabili-  
ty retirement on or before April 29, 1981; there-  
fore be it

RESOLVED, that the request of Mr. Philip  
Scott Ryan and Mr. George Engler, attorneys for  
Officer Herbert Albert, for a continuance in this  
matter, be, and the same is hereby approved and  
continued to Wednesday, April 29, 1981 at 5:00 p.m.,  
in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RECEIPT OF CITATION RELEASE POLICY AND PRO-  
CEDURES.(COPIES SENT TO EMPLOYEE ORGANIZATIONS.)

Deputy Chief Shannon said this matter was just  
for setting a date for a hearing. He said he  
didn't see any problem with the Employee Asso-  
ciations on this order and suggested that it be





set for two weeks.

He said this order merely brings the San Francisco Police Department's Citation Policy in line with the provisions of the California Penal Code.

It was then continued for two weeks.

PRESENTATION OF THE SAN FRANCISCO POLICE  
DEPARTMENT PROPOSED BUDGET FOR THE FISCAL  
YEAR 1981/82.

Deputy Chief Shannon said Sergeant Harlan Wilson has been asked to appear and describe the process the Department went through in arriving at the present compilation of facts and figures for the Police Department's Budget for Fiscal 81/82.

He said, again this year, the Mayor's Office has put a limitation on the amount of the budget and therefore, is not allowing the Department too much discretion on where it is going and what they would be able to do.

Sergeant Wilson then reported that the Budget for 81/82, as directed by the Controller, was to be submitted in two levels. He said the low level would be for the operation of the Police Department on a continual mode in compliance with what the Federal Consent Decree stated.

He said the second budget submission, the high level, with the addition of required equipment is by priority. He said they had documented \$3,900,000 dollars worth of additional equipment items and the Mayor ended up allowing them to put into the budget \$1,400,000.

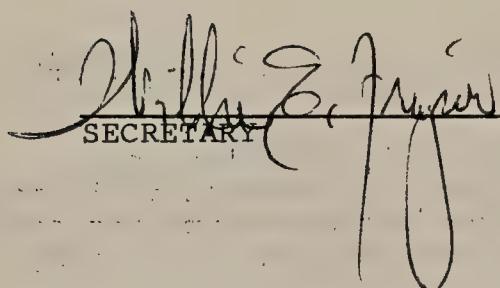
He said the budget has to be approved and submitted to the Mayor by April 1, 1981 so the Commission approval on that time will be sufficient time to allow for Public Hearings by the Commission on the 25th and, if necessary, April 1, 1981 also. He said that there will be no drop of any permanent civilian positions at this time, but temporary salaries for 176 temporary positions includes the deletion of the Muni Transit Police and works out to a total salary amount for civilian employees of \$11,809,000 dollars. He said in the sworn increment for 1971 proposed officer personnel there would be \$89,121,000 and an overall total personnel cost would be



\$100,930,623.00 dollars. He said that reflects at the low level 93% of the budget. He said at the high level it would be 92% of the budget. The total amount for the high level budget is \$109,160,011.00 million dollars. The total for the low amount for the low level budget is \$107,670,357,00 million dollars.

Commissioner Sanchez thanked the Sergeant and staff for their presentation and said the matter would be on for public hearings on the following and subsequent meetings of March 25, 1981 and April 1, 1981, where it will be up for final adoption.

The Commission then adjourned its meeting at 7:20 p.m.

  
\_\_\_\_\_  
SECRETARY





25 MARCH 1981

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 25, 1981 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

The Commissioners, having received, amended and returned copies of the minutes of the meetings of February 11, 1981 and February 25, 1981, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1415 FOLSOM STREET - BECNEL/HAMPTON LAMPS

- a) At 1415 Folsom Street, install a 22' green zone, extending from 9' to 31' east of west property line.

2073 GREENWICH STREET - GREENWICH YARN & STITCHWORKS

- a) At 2073 Greenwich Street, install a 22' green zone, extending between driveways.

1441 GRANT AVENUE - CASA CORTES

- a) At 1441 Grant Avenue, install a 20' yellow zone, extending from 3' to 23'



north of south property line.

- b) Remove meter.

4429 CABRILLO - WHEEL CHAIR SALES AND  
REPAIR SHOP

- a) At 4429 Cabrillo, install a 22' blue zone, extending from south building line 22' north of same.

2370 MARKET STREET - AU NATUREL HEALTH FOOD  
STORE

- a) At 2370 Market Street, install a 22' yellow zone, extending from 3' east to 19' west of east property line.

- b) Remove meter 2338.

25 STILLMAN - THE SLEVIN CO.

- a) At 25 Stillman, revoke existing 24' yellow zone, extending from 3' to 27' west of east building line.
- b) At 25 Stillman, replace with 24' green zone, extending from 3' to 27' west of east building line.

3149 STEINER STREET - S.F.P.D. - REVOKED

- a) At 3149 Steiner Street, revoke existing 21' white zone, extending from north property line 21' south of same.

60 GREEN STREET - S.F.P.D.- REVOKED

- a) At 60 Green Street, revoke existing 44' yellow zone, extending from 62' to 106' east of west property line.

698 KANSAS STREET - S.F.P.D. - REVOKED

- a) At 698 Kansas Street, revoke existing 140' white zone, extending from 10' to 150' north of 19th Street.



658 KANSAS STREET - S.F.P.D. - REVOKED

- a) At 658 Kansas Street, revoke existing 200' white zone, extending west of the west property line.

693 VERMONT STREET - S.F.P.D. - REVOKED

- a) At 693 Vermont Street, revoke existing 70' white zone, extending from 115' to 185' north of 19th Street.

621 VERMONT STREET - S.F.P.D. - REVOKED

- a) At 621 Vermont Street, revoke existing 36' yellow zone, extending south of the north property line.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 535 feet of yellow and white zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 163-81

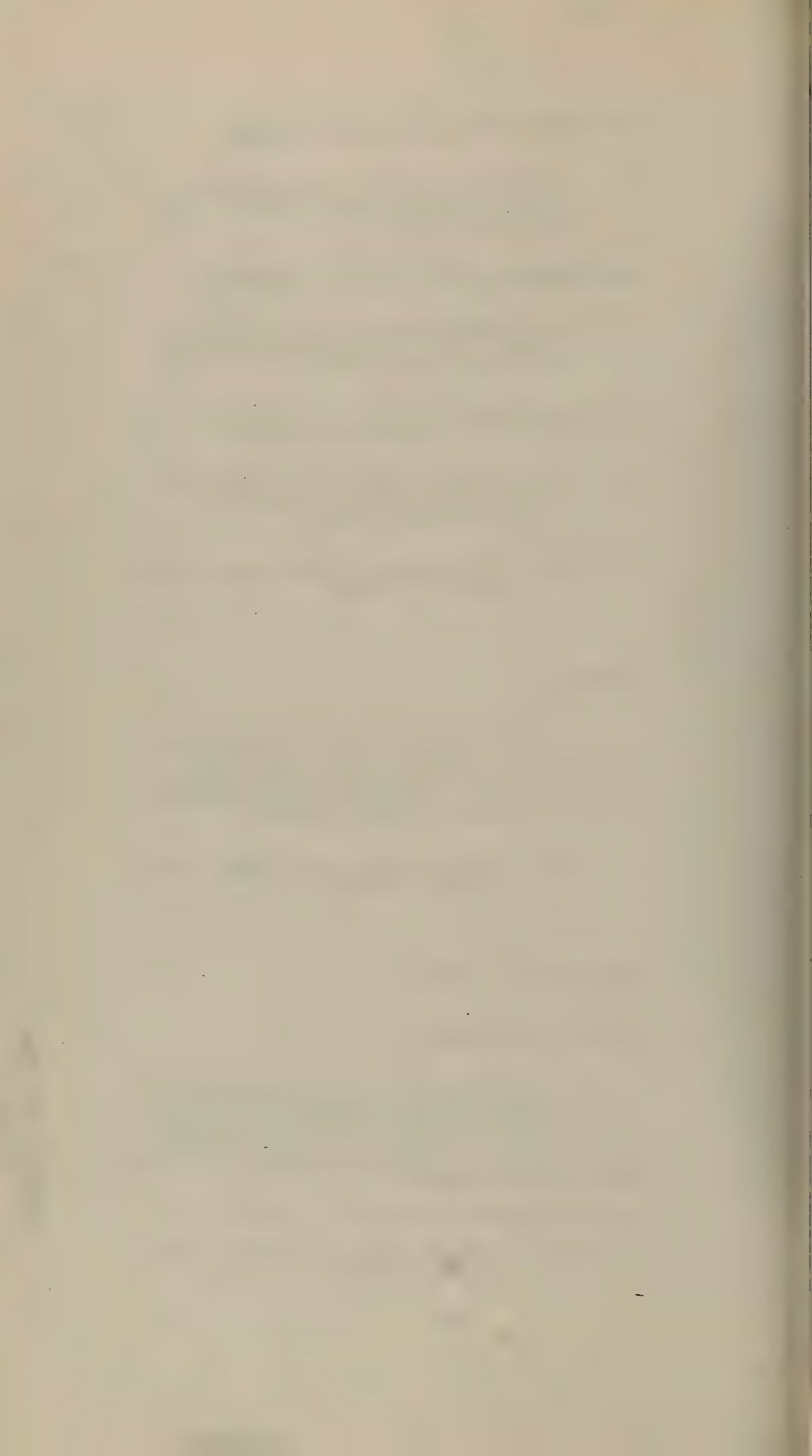
COURTESY TOW SERVICE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Courtesy Tow Service against the City and County of San Francisco in the sum of \$30.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 11, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez





RESOLUTION NO. 164-81

DAVID D. BROUSSARD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David D. Broussard against the City and County of San Francisco in the sum of \$286.32 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 31, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 165-81

ANNIE F. MAJOR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Annie F. Major against the City and County of San Francisco in the sum of \$1,253.75\* as the result of a collision with a police vehicle, be, and the same is hereby approved.

\*Changed from \$1,247.75 to \$1,253.75 at the request of the City Attorney's Office.

Date of Accident: January 15, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 166-81

SHIRLEE B. MOORE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Shirlee B. Moore against the City and County of San Francisco in the sum of \$6.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 27, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 167-81

MARILYN VOELKE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marilyn Voelke against the City and County of San Francisco in the sum of \$823.28 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: November 12, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 168-81

ENRIQUE SILBERG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Enrique Silberg against the City and County of San Francisco in the sum of \$88.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 169-81

SHENITA WILLIAMS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Shenita Williams against the City and County of San Francisco in the sum of \$227.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 2, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez





RESOLUTION NO. 170-81

RICHARD FREND

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard Frend against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 18, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 171-81

BRICKER'S SERVICE INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bricker's Service Inc., against the City and County of San Francisco in the sum of \$155.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 18, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 172-81

ELKHORN GARAGE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Elkhorn Garage against the City and County of San Francisco in the sum of \$235.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 23, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 173-81

ANNE O'CONNELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Anne O'Connell against the City and County of San Francisco in the sum of \$45.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 7, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 174-81

MAXIMO INNOCENCIO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Maximo Innocencio against the City and County of San Francisco in the sum of \$3,000.00 in compromise of Superior Court Action No. 753 023 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 5, 1979

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 175-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:



Inspector Lloyd W.)\$257.00 (Forensic Sciences  
Cunningham ) (Training Conference,  
Investigations ) (Los Angeles, Calif-  
Bureau ) (ornia, from February  
(18,1981 to February  
(20,1981.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 176-81

AUTHORIZING ATTENDANCE OF SERGEANT GREGORY S.  
CASH AND POLICE OFFICER RENO L. RAPAGNANI, TAC-  
TICAL DIVISION - EXPLOSIVE ORDNANCE DISPOSAL  
BASIC COURSE, AT HUNTSVILLE, ALABAMA, FROM  
APRIL 5, 1981 TO APRIL 24, 1981.

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RESOLVED, that the recommendation of  
the Chief of Police that Sergeant Gregory S.  
Cash and Police Officer Reno L. Rapagnani, Tac-  
tical Division, be detailed to attend the Ex-  
plosive Ordnance Disposal Basic Course, at Hunts-  
ville, Alabama, from April 5, 1981 to April 24,  
1981, be, and the same is hereby approved; and  
be it further

RESOLVED, that expenses incurred by  
Sergeant Gregory S. Cash and Police Officer  
Reno L. Rapagnani, in a sum not to exceed \$1,755.00  
each, will be defrayed by the San Francisco  
Police Department's Police Officers' Training  
Fund.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 177-81

AUTHORIZING ATTENDANCE OF SERGEANT GLENN PENNE-  
BAKER AND POLICE OFFICERS FRANK MACHI AND FRANK  
MC DONAGH, POLICE ACADEMY, AT THE P.O.S.T. DRIVER  
TRAINING INSTRUCTORS' COURSE, AT SONOMA, CALIFORNIA,  
FROM APRIL 19, 1981 TO APRIL 22, 1981

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RESOLVED, that the recommendation of the  
Chief of Police that Sergeant Glenn Pennebaker and  
Police Officers Frank Machi and Frank McDonagh,  
Police Academy, be detailed to attend the P.O.S.T.,





Driver Training Instructors' Course, at Sonoma, California, from April 19, 1981 to April 22, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Pennebaker and Police Officers Machi and McDonagh, in a sum not to exceed \$550.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 178-81

AUTHORIZING ATTENDANCE OF CAPTAIN ROBERT C. SEGHY, LIEUTENANTS MATTEO GENNA, WALTER BRAUNSCHEIG AND RICHARD MILLER, SUPPORT SERVICES BUREAU-RECORDS DIVISION, AT THE MANAGEMENT OF POLICE RECORDS FUNCTION, AT TIBURON, CALIFORNIA, FROM APRIL 12, 1981 TO APRIL 24, 1981.

RESOLVED, that the recommendation of the Chief of Police that Captain Robert C. Seghy, Lieutenants Matteo Genna, Walter Braunschweig, and Richard Miller, Support Services Bureau-Records Division, be detailed to attend the Management of Police Records Function at Tiburon, California, from April 12, 1981 to April 24, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Captain Robert C. Seghy, and Lieutenant Matteo Genna in a sum not to exceed \$510.00 each, and expenses incurred by Lieutenants Walter Braunschweig and Richard Miller in a sum not to exceed \$155.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 179-81

AUTHORIZING ATTENDANCE OF TERRI BRADY, DENISE CANNONIER, AND KATHLEEN HURLEY, CONSENT DECREE DIVISION, AT THE NINTH INTERNATIONAL CONGRESS



ON ASSESSMENT CENTER METHODS, AT SAN DIEGO,  
CALIFORNIA, FROM MARCH 30, 1981 TO APRIL 1,  
1981.

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RESOLVED, that the recommendation of the Chief of Police that Terri Brady, Denise Cannonier and Kathleen Hurley, Consent Decree Division, be detailed to attend the Ninth International Congress on Assessment Center Methods, at San Diego, California, from March 30, 1981 to April 1, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Terri Brady, Denise Cannonier and Kathleen Hurley in a sum not to exceed \$483.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

#### POLICE COMMISSION REPORT

Commissioner Murphy stated that she wanted to thank Officer Michael Mahoney from Potrero Police Station, for the marvelous job he had done in investigating and reporting on Marc's Auto Dismantlers located in the Potrero District.

On another subject she said she knew that the City's crime rate had gone down but she wanted to know about the clearance record.

Chief Murphy said that the clearance rate compared with last year's to date has started to increase. He said last year there was a backlog in the record room in getting the clearups into the system, that they ranked third in priority, but now this has been straightened out and the clear up rate is increasing because the system is now operating properly.

Commissioner Murphy said that there is a concern among the women officers in the department in that they find it very uncomfortable to wear men's bulletproof vests. She said she would hope that there would be funds available to provide bulletproof vests for women.

Chief Murphy said he knows that there has been some female vests issued to the women and that they are extremely uncomfortable even for the men, but, he said he would look into it and see just how it stands at this time.





Commissioner Daly said that she was extremely impressed with the police department in the way they handled themselves in their restraint, communications and understanding shown to the hostage suspect in their negotiations to get him to give himself up. She said she just wanted to offer her observations and that it was an excellent educational opportunity for her.

Commissioner Nelder then asked if there were an inordinate number of accidents involving police vehicles.

Chief Murphy said he had just reviewed the findings of the Accident Review Board and that he had a feeling that there were an inordinate amount of accidents involving the newer officers. He said most of the ones were involving virtually recruit officers and obviously there is a problem.

Commissioner Sanchez then reported that he just wanted to comment about the Mass at Mission Dolores Celebrating the death of Bishop Romero from El Salvador. He said Mission Dolores was overcrowded but there was a very nice walk from the church up to Mission Dolores Park. He said there was at least 800 persons and the relationship of the Department in reference to the solo/motorcycles, the Mounted Unit, the Mobile Units and the officers, both in and out of the park with those persons, was excellent. He said there has been many positive comments about how things have changed in those public and police relationships over the past few years.

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy said he had no formal report but he would answer any questions the Commission might have.

#### RESOLUTION NO. 180-81

AUTHORIZING ACCEPTANCE ON BEHALF OF THE SAN FRANCISCO POLICE DEPARTMENT THE GIFT OF A HORSE FROM A NON-PROFIT ORGANIZATION ENTITLED "FRIENDS OF THE POLICE DEPARTMENT" FOR USE BY THE MOUNTED UNIT.

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RESOLVED, that the Police Commission



of the City and County of San Francisco hereby authorizes the Chief of Police to accept on behalf of the City and County of San Francisco, the gift of a horse from a non-profit organization entitled, "Friends of the Police Department" for use by the San Francisco Police Department's Mounted Unit.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECEIPT OF PROPOSED AMENDMENT TO REGULATION  
STAR SPECIFICATIONS MANUAL OF THE SAN FRANCISCO  
POLICE DEPARTMENT - CIVILIAN EMPLOYEES. (COPIES  
SENT TO EMPLOYEE ORGANIZATIONS) - CONTINUED  
FOR THREE (3) WEEKS FOR PUBLIC HEARING.

Deputy Chief Shannon said what this Order does is correct what was done in the past in that civilians were issued stars because they were mostly Stenographers and were required to respond to crime scenes and take shorthand statements. He said this is now no longer required because statements are now taken by tape recorder and eliminates the Stenographer's needed for that particular job.

He said, thereafter, shields were issued to incoming employees but now there is such a turnover in civilian employees that those that don't need a shield are issued an identification card.

He said, therefore, the matter is on the Commission Calendar for setting.

The Commission then set it to be heard three (3) weeks hence.

SETTING OF DATE FOR HEARING OF POLICE OFFICER  
JOHN T. MURPHY, CRIME PREVENTION EDUCATION UNIT.

Stephen Bley: "Stephen Bley appearing on behalf of Officer Murphy. With the Commission's permission I have discussed this with Mr. Martin and the Chief and request your permission to set this matter over to next week for setting."

Commissioner Nelder then moved approval and it was unanimously approved.





RESOLUTION NO. 186-81

SETTING OF THE DATE FOR THE HEARING OF POLICE  
OFFICER JOHN T. MURPHY, CRIME PREVENTION ED-  
UCATION UNIT - CONTINUED TO APRIL 1, 1981

WHEREAS, the setting of the date for the hearing of disciplinary charges filed against Police Officer John T. Murphy, Crime Prevention Education Unit, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Officer Murphy, that the date for setting of the hearing before the Police Commission be continued to April 1, 1981; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer John T. Murphy, is continued to April 1, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

PUBLIC HEARING RELATIVE TO THE REVISION OF  
GENERAL ORDER A-1, "WRITTEN COMMUNICATION  
SYSTEM."

Deputy Chief Shannon said this matter was on the Calendar for adoption. He said it is revising General Order A-1 and in this respect has shortened the order by a number of pages. He continued by saying it designates who is responsible for receiving each of the items that the Department publishes, such as General Orders, Special Orders, Information Bulletins, and Training Bulletins.

It was unanimously approved.

RESOLUTION NO. 181-81

GENERAL ORDER A-1 "WRITTEN COMMUNICATION SYSTEM"-  
APPROVED

RESOLVED, that the Police Commission





hereby adopts the proposed Department General Order A-1 "Written Communication System."

(Copy on file in the Office of the Police Commission.)

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

PUBLIC HEARING RELATIVE TO GENERAL ORDER Z-1, "SEARCH WARRANTS RELATED TO DRUG AND ALCOHOL ABUSE REHABILITATION." - APPROVED

Deputy Chief Shannon said that this order is also for adoption and it came about as a result of a Consent Decree Settlement with the City Attorney on a case that involved both San Francisco and San Mateo Counties. He said it has been reviewed by the City Attorney and by the San Francisco Police Department's Legal Office, by the Department of Public Health and other persons who deal with matters such as these and they all approved it. He said it is a very complicated order and will eventually be rescinded and re-issued as a Divisional Order to the Narcotics Detail who really has the responsibility for handling these type of cases.

It was unanimously approved.

RESOLUTION NO. 182-81

GENERAL ORDER Z-1, "SEARCH WARRANTS RELATED TO DRUG AND ALCOHOL ABUSE REHABILITATION." - APPROVED

RESOLVED, that the Police Commission hereby adopts the proposed General Order "Search Warrants Related to Drug and Alcohol Abuse Rehabilitation."

(Copy on file in the Office of the Police Commission.)

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez



RESOLUTION NO. 183-81

HEARING OF POLICE OFFICER JOSEPH F. ENGLER,  
MISSION POLICE STATION

WHEREAS, the hearing of Police Officer Joseph F. Engler, Mission Police Station, was called, it having been set for this date; and

WHEREAS, Mr. George J. Engler, attorney for Police Officer Joseph F. Engler, has advised that since Officer Engler's court matter has now been concluded, he is available to proceed with the hearing subsequent to March 25, 1981; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Joseph F. Engler, Mission Police Station, is set for Wednesday, April 1, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 184-81

HEARING OF INSPECTOR WILLIAM C. BIGARANI,  
BUREAU OF INVESTIGATIONS

WHEREAS, the date for the hearing of the disciplinary charges filed against Inspector William C. Bigarani, Bureau of Investigations, was called, it having been set for this date; and

WHEREAS, Mr. William T. Beirne, attorney for Inspector William C. Bigarani, has requested a continuance until May 6, or May 13, 1981, as the Court proceedings in this matter have not as yet been resolved; therefore be it

RESOLVED, that the request of Mr. William T. Beirne, Attorney at Law, for a continuance in this matter, be, and the same is hereby approved and continued to Wednesday, May 6, 1981 at 5:00 p.m., in Room





551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

HEARING OF GRIEVANCE OF SERGEANT GEORGE WALLACE,  
SUPPORT SERVICES BUREAU, CENTRAL WARRANTS.  
(CONTINUED FROM THE MEETING OF MARCH 11, 1981.)

Decision:

Commissioner Sanchez: "The Commission has reviewed the evidence presented before us this evening both in reference to written documentation and has listened very closely to testimony and discussion pertaining to the nature of the grievance, and the grievance itself, and outcomes, and after discussion and review, the Commission is unanimous in stating that it is our considered opinion that the request for 560 hours be denied. However, if there are any dates within the contested time where Sergeant Wallace acted as supervising officer where neither Sergeant or Lieutenant were present, that he be compensated accordingly. We know that this has brought a great deal of discussion both before the Chief, and, before the Commission and the Commission believes that in the spirit of discussion for future clarifications that the Department is doing everything it can to insure that the Rules and Regulations are consistent throughout the Department. But we do thank you Sergeant Wallace for bringing your grievance to the Commission for due process. Although, unfortunately the Commission did not rule in your favor pertaining to the 560 hours, but there is that conditional clause which I so read.

"Any further discussion by the Commission or addition pertaining to our deliberation? Fine, if not, the Commission so rules. Thank you gentlemen."

HEARING OF GRIEVANCE NO. 21-80, FILED BY  
SERGEANT GEORGE WALLACE, SUPPORT SERVICES BUREAU-  
CENTRAL WARRANTS DIVISION

The hearing of the Grievance of Sergeant George Wallace, Support Services Bureau, Central Warrants Division, was called, it having been set for this date. Sergeant George Wallace's Grievance No. 21-80 having been denied by the Chief of Police is as follows:



Greivant Wallace has been designated as officer-in-charge of the Central Warrant Bureau in the absence of a Lieutenant and Sergeant on numerous occasions since February 1979. The duties of grievant have been "to be responsible for the duties normally undertaken by the assigned sergeant and have the commensurate responsibility and authority of that position." Compensation for these duties (like work/like pay) has been denied by Deputy Chief Cordes. This grievant and others in the same unit are entitled to Q-50 pay when they assumed the duties of a supervisor.

Sergeant Wallace's suggested remedy to his Grievance is Q-50 compensation for approximately 560 hours, and further compensation when so assigned as a supervisor.

An opening statement was made by Dr. David J. Sanchez, Jr., President, the Police Commission.

An opening statement was also made by Sergeant/Inspector Paul Chignell, Vice-President, San Francisco Police Officers' Association.

The following documents were submitted to each Commissioner for their perusal:

Map of working area of Central Warrant Bureau.

Intra-departmental Memorandum dated February 1979, from Lieutenant Sol Weiner, addressed to "All Personnel re: Assignemnt of Supervisory Personnel in the Absence of Assigned Sergeant."

Undated intra-departmental memorandum from George Wallace re Like Work/ Like Pay Compensation.

Photostatic copy of a Watch Report from 0000 Wed. 6-20-79 to Tues. 7-3-79.





Two copies of Anticipated Watch  
Reports from Wed. 1-16-80 to Tues.  
1-29-80.

Copy of Field Officer's Daily Activ-  
ity Log dated September 7, 1978.

Copy of Field Officer's Daly Activ-  
ity Log dated September 4, 1979.

Three pages of guidelines re Like  
Work/Like Pay dated April 18, 1979,  
from Deputy Chief Mario Amoroso.

Signed statement dated March 25,  
1981, from members of the Central  
Warrant Bureau.

Intra-Departmental Memorandum,  
dated September 27, 1980, from  
Deputy Chief Cordes re Like Work/  
Like Pay.

Intra-Departmental Memorandum dated  
April 23, 1981, from Lieutenant  
Richard Trueb, Legal Office, re "Re-  
quest of Officer George Wallace for  
Like Work/Like Pay Compensation."

The following-named witnesses were  
called by Sergeant/Inspector Paul Chignell,  
sworn and testified:

Sergeant George Wallace  
Support Services Bureau-  
Central Warrants Division

Lieutenant Richard Kazarian  
Support Services Bureau-  
Records Division

Sergeant Peter Christiansen  
Support Services Bureau-  
Central Warrants Division

Officer Arlene Martin  
Support Services Bureau-  
Central Warrant Division

The following-named witness was called  
by Mr. Robert Martin, on behalf of the Police  
Department, was sworn and testified:





Deputy Chief Stanley Cordes  
Support Services Bureau

A closing statement was then made  
by Sergeant/Inspector Paul Chignell.

Closing statements were also made  
by Mr. Robert Martin and Chief of Police,  
Cornelius P. Murphy.

The Commission took the matter  
under submission after which the following  
resolution was adopted:

RESOLUTION NO. 185-81

DECISION - HEARING OF GRIEVANCE NO. 21-80  
FILED BY SERGEANT GEORGE WALLACE, SUPPORT  
SERVICES BUREAU - CENTRAL WARRANTS DIVISION

WHEREAS, on Thursday, February 1,  
1979, Sergeant George Wallace, Support Ser-  
vices Bureau-Central Warrants Division, made  
and filed Grievance No. 21-80, as follows:

Grievant Wallace has been desig-  
nated as officer-in-charge of the  
Central Warrant Bureau in the ab-  
sence of a Lieutenant and Sergeant  
on numerous occasions since Feb-  
ruary, 1979. The duties of grie-  
vant have been "to be responsible  
for the duties normally undertaken  
by the assigned Sergeant and have  
the commensurate responsibility  
and authority of that position."  
Compensation for these duties (like  
work/like pay) has been denied by  
Deputy Chief Cordes. This grievant  
and others in the same unit are  
entitled to Q-50 pay when they as-  
sumed the duties of a supervisor.

Sergeant Wallace's suggested remedy  
to his Grievance is Q-50 compensa-  
tion for approximately 560 hours,  
and further compensation when so  
assigned as a supervisor.

and

WHEREAS, a hearing on said Grievance  
was had before the Police Commission in accordance



with the Grievance Procedure detailed in the Memorandum of Understanding on Wednesday, March 25, 1981, and on Wednesday, March 25, 1981, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that Grievance No. 21-80 made and filed by Sergeant George Wallace, Support Services Bureau-Central Warrants Division, is not sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Grievance No. 21-80, made and filed by Sergeant George Wallace, Support Services Bureau-Central Warrants Division, is not sustained by the evidence presented at the hearing; and be it further

RESOLVED, that it is the order of the Police Commission that Sergeant George Wallace's request for compensation for approximately 560 hours, be, and the same is hereby denied; and be it further

RESOLVED, that if there are any dates within the contested time wherein Sergeant Wallace, acting as a supervisory officer, where neither a Sergeant nor Lieutenant were present, that he be compensated accordingly.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

PUBLIC HEARING RELATIVE TO AMENDED LIMITED DUTY POLICY.

The Police Commission and the San Francisco Police Officers' Association discussed this matter at great lengths before it was decided that it should be continued for one (1) week until at such time a determination could be made as to the clarification of Meet and Confer responsibilities and also as to whether the San Francisco Police Officers' Association had submitted a request in writing to Meet and Confer on this particular issue with the Administration representatives and/or the Police Commission.





PUBLIC HEARING ON THE SAN FRANCISCO POLICE  
DEPARTMENT BUDGET FOR FISCAL YEAR 1981/82

Because of the lateness of the hour, this matter was continued for Public Hearing as noticed in the newspaper for one (1) week hence where discussion would be had by the Department and those members of the public who may be interested in giving their input prior to adoption and forwarding to the Mayor's Office.

The Commission then adjourned its meeting at 9:52 p.m.

  
\_\_\_\_\_  
SECRETARY



1 APRIL 1981

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, April 1, 1981 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

DOCUMENTS DEPT.

Commissioner Sanchez presiding.

MAY 6 1981

SAN FRANCISCO  
PUBLIC LIBRARY

The Commissioners, having received, amended and returned copies of the minutes of the meeting of March 4, 1981, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez: "I would like to request at this time moving item #12, which would be the Budget Hearing, to the next item to be heard, and then we would proceed accordingly, if that is okay with my fellow Commissioners?"

Unanimous acknowledgement.

PUBLIC HEARING ON THE SAN FRANCISCO POLICE DEPARTMENT PROPOSED BUDGET FOR FISCAL YEAR 1981/82.  
(CONTINUED FROM THE MEETING OF MARCH 25, 1981.)

Deputy Chief Shannon reported that Sergeant Wilson, present at today's meeting, is the person in charge of preparing the budget and can answer the Commission's questions on each and every aspect of same. He said the budget has now gone through the Controller and has been basically and unofficially presented to the Mayor.

He then called upon Sergeant Wilson to continue with the presentation.

Sergeant Wilson said that he could either make a presentation to the Commission on the subject such as that he made two weeks ago, or either he could answer any questions the Commissioners may have on



it at this time.

Commissioner Sanchez then asked if there had been any significant changes since the presentation of two weeks ago and also he was under the impression that budget justifications would have been sent to the Commissioners prior to tonight's hearing.

Sergeant Wilson said the justifications should be in the packet sent to the Commissioners for tonight's meeting. He said it shows each departmental unit with three sections, the first section being a description of what that unit does, the second section shows what the staffing level would be, both civilian and sworn, and the third section shows that the objectives are as decided by the department for each one of those units. He said those are the objectives that the units are working toward for the 81/82 fiscal year budget.

Commissioner Murphy noted that the budget had been very well prepared and commended the Sergeant and his staff.

Commissioner Sanchez then inquired as to what the department has done as far as review of the 0520 classification of Police Surgeon, as opposed to the Fire Department's 2220 Physician's position?

Deputy Chief Shannon said the process is conducted backwards. He said the department requested the Civil Service Commission to do a position classification questionnaire and investigation regarding the differences between the two positions. He said the Civil Service Commission advises that if the police department places the position into its budget, then they would conduct a position classification survey to see if it is proper. If they concur with the department's recommendation, then the position would be re-classified, if it is not concurred, then it will stay as it is.

Further discussion was held after which Commissioner Nelder moved for approval and the Budget for Fiscal 81/82 was then unanimously approved.

RESOLUTION NO. 205-81

OPERATING BUDGET FOR FISCAL YEAR 1981/82 - SAN FRANCISCO POLICE DEPARTMENT.

RESOLVED, that the Police Commission





hereby approves the operating budget of the San Francisco Police Department for the Fiscal Year 1981/82, as submitted by Chief of Police Cornelius P. Murphy.

"LOW"

Object Level \$107,670,357.00

"HIGH"

Object Level \$109,160,011.00

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

At this particular time Commissioner Sanchez was called away from the meeting and Commissioner Murphy, Vice President, took over the Chair.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

299 RITCH STREET - LERA ELECTRIC

- a) At 299 Ritch Street, install a 70' yellow zone, extending from south property line 70' north of same.
- b) Revoke existing 70' red zone.

145-14th STREET - L.B. DISTRIBUTORS

- a) At 145-14th Street, install a 21' yellow zone, extending from 23' to 44' east of Shotwell Street.

3101-19th AVENUE - LAKESIDE PRESBYTERIAN CHURCH

- a) At 3101-19th Avenue, install a 22' blue zone, extending from 60' to 82' south of Eucalyptus Drive.



225 EUCALYPTUS DRIVE - LAKESIDE PRESBYTERIAN  
CHURCH

- a) At 225 Eucalyptus Drive, install a 22' blue zone, extending from east end of 22' white zone. (Repaint white zones.)

250B NAPOLEON - ROBLES FIRE PROTECTION

- a) At 250B Napoleon, install a 22' yellow zone, extending from east building line 22' west of same.

3920 MISSION STREET - S.F.P.D. - REVOKED

- a) At 3920 Mission Street, revoke existing 16' yellow zone, extending from 3' to 19' north of south building line.

1698 SACRAMENTO STREET - S.F.P.D. - REVOKED

- a) At 1698 Sacramento Street, revoke existing 27' yellow zone, extending from 5' to 32' east of the east line of Polk Street.

454 GEARY STREET - COLUMBIA MUSIC AND ELECTRONICS  
II - DENIED

- a) At 454 Geary Street, install a 50' white zone, extending from 12' east to 38' west of east property line of 454 Geary Street. DENIED.
- b) Meters 422 and 420 to be removed. DENIED.

548 UNION STREET - JENNINGS & STOUT - DENIED

- a) At 548 Union Street, install a 22' green zone, extending from west property line 22' east of same. DENIED.

1019 DIVISADERO STREET - OK EXECUTIVE BARBER SHOP -  
DENIED

- a) At 1019 Divisadero Street, install a 22' green zone, extending from south property





line 22' north of same. DENIED.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

ABSENT: Commissioner Sanchez

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 113 feet of red and yellow zones, at the parts of the City, at the locations submitted be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 187-81

CALIFORNIA CASUALTY INSURANCE  
COMPANY & NANETTE LOCKWOOD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California Casualty Insurance Company and Nanette Lockwood against the City and County of San Francisco in the sum of \$1,352.11 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 3, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 188-81

LAURA KLEIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Laura Klein against the City and County of San Francisco



in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 25, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 189-81

MICHAEL RICKETT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael Rickett against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 190-81

ANTHONY RUSSO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Anthony Russo against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 20, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

ABSENT: Commissioner Sanchez



RESOLUTION NO. 191-81

MARY C. JOHNSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary C. Johnson against the City and County of San Francisco in the sum of \$40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 5, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 192-81

J & H AUTO WRECKING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the J&H Auto Wrecking Company against the City and County of San Francisco in the sum of \$365.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 16, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 193-81

EUGENE JENKINS AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Eugene Jenkins and his Attorney against the City and County of San Francisco in the sum of \$600.00 in compromise of Superior Court Action No. 696-286 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 23, 1974

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

ABSENT: Commissioner Sanchez





RESOLUTION NO. 194-81

HAYWARD WONG, CARL LEE AND  
THEIR ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Hayward Wong, Carl Lee and their attorney against the City and County of San Francisco in the sum of \$935.00 in Municipal Court Action No. 795-118 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 11, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 195-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Lieutenant Louis Calabro	)	\$600.00	(P.O.S.T. Middle
Field Operations-	)	each	(Management Train-
Patrol Division	)		(ing Course, at
	)		(Kelseyville, Cal-
Lieutenant Dante Del Chiaro)			(ifornia, from Feb-
Field Operations-	)		(ruary 16, 1981 to
Patrol Division	)		(February 27, 1981.
	)		
Lieutenant Howard Jackson	)		
Field Operations-	)		
Patrol Division	)		

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

ABSENT: Commissioner Sanchez



RESOLUTION NO. 196-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Police Officer Charles)	\$1,079.50	(Police Armorers'
C. Coates	)	(Training Course,
Police Range	)	(Springfield, Mass-
		(achusetts, from
		(February 22, 1981
		(to March 7, 1981.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 197-81

AUTHORIZING ATTENDANCE OF POLICE OFFICERS CHARLES  
KEOHANE, RONALD ROTH, AND EDWARD ST. ANDRE, TACTICAL  
DIVISION, AT A SPECIAL WEAPONS AND TACTICS BASIC  
COURSE, AT SANTA ROSA, CALIFORNIA, FROM APRIL 12,  
1981 TO APRIL 17, 1981

RESOLVED, that the recommendation of the Chief of Police that Police Officers Charles Keohane, Ronald Roth and Edward St. Andre, Tactical Division, be detailed to attend a Special Weapons and Tactics Basic Course, at Santa Rosa, California, from April 12, 1981 to April 17, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officers Charles Keohane, Ronald Roth and Edward St. Andre, Tactical Division, in a sum not to exceed \$291.50 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

ABSENT: Commissioner Sanchez





RESOLUTION NO. 198-81

AUTHORIZING ATTENDANCE OF POLICE OFFICERS KEVIN CALLAHAN, DOUGLAS KIDD, DONALD CLYBURN, DUANE COLLINS, DANIEL MAY, RANDOLPH RADOSEVICH, AND GEORGE STASKO, TACTICAL DIVISION, AT A SPECIAL WEAPONS AND TACTICS BASIC COURSE, AT SANTA ROSA, CALIFORNIA, FROM APRIL 26, 1981 TO MAY 1, 1981.

RESOLVED, that the recommendation of the Chief of Police that Police Officers Kevin Callahan, Douglas Kidd, Donald Clyburn, Duane Collins, Daniel May, Randolph Radosevich, and George Stasko, Tactical Division, be detailed to attend a Special Weapons and Tactics Basic Course, at Santa Rosa, California, from April 26, 1981 to May 1, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officers Kevin Callahan, Douglas Kidd, Donald Clyburn, Duane Collins, Daniel May, Randolph Radosevich, and George Stasko, Tactical Division, in a sum not to exceed \$291.50 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 199-81

AUTHORIZING ATTENDANCE OF ASSISTANT INSPECTOR DAVID SUYEHIRO, CRIME LABORATORY, AT THE ADVANCED LATENT FINGERPRINT SCHOOL, AT SACRAMENTO, CALIFORNIA, FROM APRIL 6, 1981 TO APRIL 10, 1981.

RESOLVED, that the recommendation of the Chief of Police that Assistant Inspector David Suyehiro, Crime Laboratory, be detailed to attend the Advanced Latent Fingerprint School, at Sacramento, California, from April 6, 1981 to April 10, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspector David Suyehiro, Crime Laboratory, in a sum not to exceed \$290.00, will be defrayed



by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

ABSENT: Commissioner Sanchez

#### POLICE COMMISSION REPORT

Commissioner Murphy inquired as to whether there has been a response to a Board of Supervisor's letter regarding the Commission's anticipation of issuing additional taxicab permits.

The response was that the letter had been answered and all information requested has been supplied.

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy then had Deputy Chief Shannon report on the Police Women's bulletproof vest.

Deputy Chief Shannon said that the Department did some research on the bulletproof vest specifically designed for women and there is one problem with it in that it will not stop the 9mm FMC round like the one that is designed for all members of the Department. He said, however, the Department will make this vest available to the women and it is better than not wearing one at all. He said the vest is 50 dollars cheaper than the standard and he then presented a photo of the vest to the Commissioners.

The Commissioners unanimously concurred in the recommendation to supply the vest for all Police Women who desired to have one.

The Chief in response to a question by Commissioner Toler, re: Officers wounded in line of duty, said Officers Gervasi and Boyd are both in good condition after their shoot out of last evening. He said Officer Gervasi was shot in the left arm and the bullet entered and exited and shattered some bone but he is in good condition. He said the other officer, Mike Boyd, was shot in the leg and in the face, but he is also in good condition.





The Commissioners then asked the Chief on their behalf to wish the officers well and that they were wishing for their speedy recovery.

PUBLIC HEARING RELATIVE TO THE DEPARTMENT'S  
AMENDED LIMITED DUTY POLICY. (CONTINUED FROM THE  
MEETING OF MARCH 25, 1981.)

Discussion was held by Officers from the San Francisco Police Officers' Association, and the Chief, and Police Commissioners regarding the amendment to the Limited Duty Policy. It was suggested, in order to have a true Meet and Confer process, that the matter be sent back to the administration. There the Police Officers' Association and the Administration would Meet and Confer on what they are willing to change, or not change, as the case may be, and any new or additional conditions that may be discussed and not agreed upon at that time would also be brought to the Commission for a Meet and Confer on the total package. Addressed would be the proposed change in the Limited Duty Policy of one word from Shall to May and the other issue would be where a person is on a Limited Duty Status and is up for promotion, whether he would be allowed to be promoted, or not promoted, as the case may be.

Commissioner Nelder, after discussion on the matter, moved that it be put off calendar and that the Chief's representatives meet with the San Francisco Police Officers' Association's representatives and then predicated upon what can be agreed upon, return to the Commission with the matter and respective recommendations.

PUBLIC HEARING RELATIVE TO GENERAL ORDER NO. 1-2,  
"CHARGING VIOLATIONS OF PROBATION OR PAROLE."

Deputy Chief Shannon said there are two types of probation, court probation and departmental probation, where the court in assigning a person to probation assigns him to the responsibility of the Probation Department. Also, sometimes, the courts maintains the person within their own purview. He said previously the Department had no way under court probation of knowing when this was in effect. He said now it has been changed by the computer and it is now known when a person is on court probation and this order merely informs the officer as to how he may obtain this information. He said the second part





of it is that the parole board changed their phone number so that the Department would have a number where the Board may be reached 24 hours of the day for information regarding people who are on probation or parole.

RESOLUTION NO. 200-81

GENERAL ORDER NO. 1-2, "CHARGING VIOLATIONS OF PROBATION OR PAROLE." - APPROVED

RESOLVED, that the Police Commission hereby adopts the proposed Department General Order No. 1-2, "Charging Violations of Probation or Parole."

(Copy on file in the Police Commission Office.)

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

PUBLIC HEARING RELATIVE TO "CITATION RELEASE POLICY AND PROCEDURES."

Deputy Chief Shannon said this order as discussed by the Chief when it was on the Commission Calendar for setting of a date for a public hearing, brings the department more into line with what the California Penal Code states regarding the process of citations. He said it allows the officer to make the decision on the street on individual cases regarding whether they should be cited, or not cited, or whether they should be booked.

He said the public has been notified about it and no one has spoke out against it and it is for adoption at this time.

Commissioner Nelder said he has thoroughly perused the procedures in this Order that it is beneficial to the public, and certainly gives guidance and direction to the officers in the field. He then moved for its approval and it was voted upon and unanimously approved.



RESOLUTION NO. 201-81

REVISION OF DEPARTMENT GENERAL ORDER NO. 1-3,  
"CITATION RELEASE POLICY AND PROCEDURES." -  
APPROVED

RESOLVED, that the Police Commission hereby adopts the proposed General Order No. 1-3, "Citation Release Policy and Procedures," revised March, 1981.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 202-81

SETTING OF DATE FOR HEARING OF POLICE OFFICER  
WILLIAM J. KELLY, MISSION POLICE STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer William J. Kelly, Mission Police Station, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Officer William J. Kelly, that Officer Kelly's hearing be set for May 6, 1981; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer William J. Kelly, Mission Police Station, is set for Wednesday, May 6, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 203-81

HEARING OF POLICE OFFICER JOSEPH F. ENGLER, MISSION  
POLICE STATION

WHEREAS, the hearing of Police Officer





Joseph F. Engler, Mission Police Station, was called, it having been set for this date; and

WHEREAS, Mr. George J. Engler, attorney for Police Officer Joseph F. Engler, has advised that since Officer Engler's court matter has now been concluded, he is available to proceed with the hearing; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Joseph F. Engler, Mission Police Station, is set for Wednesday, April 15, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 204-81

SETTING OF DATE FOR HEARING OF POLICE OFFICER  
JOHN T. MURPHY, CRIME PREVENTION EDUCATION UNIT.

WHEREAS, the date to be set for the disciplinary hearing of Police Officer John T. Murphy, Crime Prevention Education Unit, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Police Officer John T. Murphy, that Officer Murphy's hearing be set for April 29, 1981; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer John T. Murphy, Crime Prevention Education Unit, is set for Wednesday, April 29, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

ABSENT: Commissioner Sanchez



POLICE COMMISSION RESOLUTION DESIGNATING THE CHIEF OF POLICE, DEPUTY CHIEFS OF ADMINISTRATION, FIELD OPERATIONS, SUPPORT SERVICES, AND INVESTIGATIONS, EACH OR TOGETHER, AS REPRESENTATIVES TO MEET AND CONFER WITH EMPLOYEE ORGANIZATIONS.

Chief Murphy said what this resolution does is formalize the Meet and Confer process in that the process now calls for the Commission to Meet and Confer. He said it delegates the authority down to the Chief and his four Deputies to Meet and Confer on behalf of the Commission and make recommendations, thereafter, to the Commission.

He said as of now the Department is doing it informally but, he said, he would like to have it formalized.

Paul Chignell of the San Francisco Police Officers' Association, said that the Police Officers' Association has no problem with the resolution, however, the Police Officers' Association always reserves the right to Meet and Confer with the Commission.

Commissioner Toler then moved approval and it was unanimously approved.

RESOLUTION NO. 206-81

POLICE COMMISSION RESOLUTION DESIGNATING THE CHIEF OF POLICE, DEPUTY CHIEFS OF ADMINISTRATION, FIELD OPERATIONS, SUPPORT SERVICES, AND INVESTIGATIONS, EACH OR TOGETHER, AS REPRESENTATIVES TO MEET AND CONFER WITH EMPLOYEE ORGANIZATIONS.

WHEREAS, Government Code Section 3505 authorizes the designation of representatives of the Police Commission to Meet and Confer with representatives of Employee Organizations; and

WHEREAS, Government Code Section 54957.6 permits the Police Commission to meet in Executive Session with its designated representatives prior to and during consultations and discussions with representatives of Employee Organizations; therefore be it

RESOLVED, that the Police Commission of the City and County of San Francisco names the Chief of Police and the Deputy Chiefs of Administration, Field Operations, Support Services, and Investigations, each of them, together or singly to act as

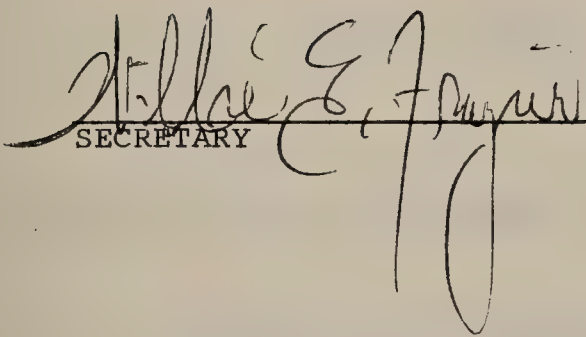


its designated representative to Meet and Confer with Employee Organizations regarding all matters within the scope of representation.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy

ABSENT: Commissioner Sanchez

The Commission then adjourned its meeting  
at 6:22 p.m.

  
SECRETARY





8 APRIL 1981

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, April 8, 1981 at 1700 hours, in regular session.

PRESENT: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

DOCUMENTS DEPT.

Commissioner Sanchez presiding.

MAY 6 1981

SAN FRANCISCO  
PUBLIC LIBRARY

The Commissioners, having received, amended and returned copies of the minutes of the meeting of March 11, 1981, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RECOMMENDATION OF THE TRAFFIC BUREAU -APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1595 FAIRFAX - CENTRAL MILL & CABINET CO.

- a) At 1595 Fairfax, install a 42' yellow zone, extending from west building line 22' east and from 42' to 62' east of west building line. Broken by driveway.

1595 FAIRFAX - CENTRAL MILL & CABINET CO.

- a) At 1595 Fairfax, install a 26' green zone, extending from 80' to 106' east of west property line.



5715 GEARY BOULEVARD - POOR RICHARD'S

- a) At 5715 Geary Boulevard, install a 12' yellow zone, extending from bus zone 12' west of same (diagonal parking.)
- b) Remove meter #5707.

2030 FOLSOM STREET - KILPATRICK BAKERY

- a) At 2030 Folsom Street, install a 70' yellow zone, extending from 6' to 76' south of north building line.

360-9th AVENUE - STAR OF THE SEA

- a) At 360-9th Avenue, install a 30' yellow zone, extending from middle of entrance of 360-9th Avenue 15' in each direction.

371-8th AVENUE - STAR OF THE SEA

- a) At 371-8th Avenue, install a 58' white school loading zone, extending from end of meter space 8A389 north to red at driveway.

2415 CLEMENT STREET - LE BEAUGOLAIS

- a) At 2415 Clement Street, install a 22' white zone, extending from 2' to 24' west of east property line.
- b) Remove meter #2409.

398-17th AVENUE - U.S.F. - REVOKED

- a) At 398-17th Avenue, revoke existing 25' yellow zone, extending from 21' to 46' south of the north property line.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez





REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 25 feet of yellow zone, at the part of the City, at the location submitted, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 207-81

FRANK HEARD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frank Heard against the City and County of San Francisco in the sum of \$300.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 13, 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 208-81

ANN H. HAMZA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ann H. Hamza against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 24, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez



RESOLUTION NO. 209-81

ERMA JEAN KEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Erma Jean Key against the City and County of San Francisco in the sum of \$2,200.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 13, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 210-81

RICHARD A. HALL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard A. Hall against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 16, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 211-81

KATHERINE L. MUNGER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Katherine L. Munger against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 12, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RESOLUTION NO. 212-81

LARRY L. FOWLER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Larry L. Fowler against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 1980 to February 1980.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 213-81

HOWARD SCOTT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Howard Scott against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 5, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 214-81

RICAHRD E. MONAHAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard E. Monahan against the City and County of San Francisco in the sum of \$95.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 20, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez





RESOLUTION NO. 215-81

SAYOKO LESURE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sayoko Lesure against the City and County of San Francisco in the sum of \$10.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 9, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 216-81

LIN PADGHAM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lin Padgham against the City and County of San Francisco in the sum of \$15.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 9, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 217-81

LORNA HALL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lorna Hall against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 10, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez



RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Lieutenant George F. Lockhart, Mission Police Station, for service, effective February 11, 1981.
- b) Lieutenant Frank J. Rafferty, Ingleside Police Station, for service, effective February 25, 1981.
- c) Sergeant Frank Panacci, Traffic Bureau, for service, effective February 25, 1981.

The communications were ordered filed.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 218-81

POLICE NARCOTIC FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy, in the amount of \$2,000.00 charging same to Index Code 580217 as an advance on the Police Narcotics Fund for the month of April, 1981.

AYES: Commissioners Daly, Nelder, Toler,  
Murphy, Sanchez

RESOLUTION NO. 219-81

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy in the amount





of \$4,000.00 charging same to Index Code 580217 as an advance on the Police Contingent Fund for the month of April, 1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 220-81

AUTHORIZING ATTENDANCE OF LIEUTENANT DANIEL MURPHY, INTELLIGENCE UNIT, AT THE NATIONAL LAW ENFORCEMENT INTELLIGENCE UNIT CONFERENCE, AT PORTLAND, OREGON, FROM MAY 5, 1981 TO MAY 8, 1981.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Daniel Murphy, Intelligence Unit, be detailed to attend the National Law Enforcement Intelligence Unit Conference at Portland, Oregon, from May 5, 1981 to May 8, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses not to exceed \$600.00 for subsistence and travel will be defrayed by the Police Department Contingency Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

POLICE COMMISSION REPORT

Commissioner Nelder inquired as to the current condition of the injured Police Officer who was shot in the line of duty.

Chief Murphy said his name is Officer Bruno Pezzulich and he is in good condition. He said he was hit twice. One was a grazing wound and did not break the flesh and the other did penetrate and lodge in the small of the officer's back, but he is not in serious condition as there were no vital organs hit.

Commissioner Sanchez said he had a chance to visit the officer over at the hospital this afternoon and he was doing very well. He continued by saying the officer was very, very lucky to still be alive and should be very grateful that he had worn his bullet-proof vest. He said he also visited the two that were shot last week and they were also doing very well.



CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy said that commencing March 30th, the Department began towing private passenger vehicles out of the yellow zones in the downtown area which is generally defined as everything east of Van Ness Avenue and over to Broadway, and then down to Townsend on the Southside and todate the Department has towed 472 cars out of those zones. He said the double parking situation seem to be easing somewhat and if it doesn't get appreciably better starting the first of next month, the Department will start towing station wagons with commercial license plates and pickup trucks that are not actively engaged in loading and unloading, and staying beyond the 30 minutes.

He then said on another subject, that the Muni Transit Detail, undercover police officers on the Muni since February 6, 1981, has gone over 600 arrest or citations. He said that operation will continue until at such time a permanent Muni Transit Company of police officers is established.

In answer to Commissioner Daly's question as to how the taxi detail was working out, he said, as he seemed to recall from a report this morning that this detail has made 172 arrest in the short period of time they have been operating and most of these were felony arrest.

Commissioner Sanchez then requested item #12 to be moved and heard at this time.

SETTING OF DATE FOR PUBLIC HEARING ON APPLICATIONS TO DETERMINE PUBLIC CONVENIENCE AND NECESSITY FOR THE ISSUANCE OF VEHICLE FOR HIRE PERMITS. (CONTINUED FROM THE MEETING OF MARCH 4, 1981.)

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Commissioner Sanchez: "The Commission since our last meeting pertaining to the hearings both pro and con for the issuing of Public Convenience and Necessity Taxi Permits, has been receiving a great deal of information, not only from various organizations, groups and taxi companies, but also from other governing agencies, including Los Angeles, San Diego, some from back east pertaining to how their operations are functional, or not functional, and what they are doing in reference to compliance, and non-compliance. What is the





wish of the Commission pertaining to the continuance of this matter which, hopefully, we might be able to clear up by the end of the month?"

Commissioner Nelder: "The full Commission should be present and the month of April may create a problem, and I was just looking at the May calendar."

Commissioner Murphy: "Well Commissioner Nelder, I am leaving on the 11th for England for two weeks of May and the 6th would be okay if we could finish it up at that time."

After confirming a time when all Commissioners would be present, the dates for hearing the taxi cab permit issue was set for 4:00 p.m., May 6th, and 4:00 p.m., May 27th."

Item #9 was also called out of order at the request of the Chief.

RECEIPT OF NEW RULES AND PROCEDURES FOR PATROL SPECIAL OFFICERS, NEW UNIFORM AND EQUIPMENT SPECIFICATIONS FOR PATROL SPECIAL OFFICERS.(COPIES SENT TO EMPLOYEE ORGANIZATIONS.)

Deputy Chief Shannon said this matter is just for setting a date for hearing. He said the Administration has not received any request at this time for a Meet and Confer which he feels would be proper.

He suggested setting a date two weeks hence and in the meantime, hopefully, they would request a Meet and Confer and some of the issues may be resolved prior to its return to the calendar.

PRESENTATION OF MEDAL OF VALOR AWARDS AND CERTIFICATES

Commissioner Sanchez: "This is probably one of the most important and meaningful roles that the Commission plays by chairing what is known as the Awards and Certifications Committee. This is a Committee made up of our senior officers, namely our Captains, our Commanders, Deputy Chiefs and Chief, who sit





along with one of the Commissioners who Chairs the meeting and reviews each person who comes up for nomination for an award or certification. It isn't just handed out. The officers who are here this evening went through a pretty tough clinical trial, we'll say, and responded to questions and inquiries pertaining to Department Rules, Regulations process and procedure as far as why, in fact, they should be granted an award and then there is a vote taken. It is a secret vote and then the award is granted, or not granted.

All Commissioners have an opportunity to chair these meetings and it is always an enriching experience because of the fact that we have so many men and women within the Department that really perform above and beyond the call of duty on a continual basis.

I had the honor of chairing the past Awards Committee and let me just say that we had seven gold medals which is the highest award given to officers of the San Francisco Police Department and the Awards were all voted upon unanimously by the Department, by the Senior Committees, as we took a look at what the heroic deeds of the men and women were.

Let me just say this before I proceed and share this with my colleagues. In every case where a gold was awarded there was sufficient procedure followed where our officers could have fired, and in some cases, even killed people who were firing on either the officers or on other people, but the San Francisco Police Department, our training, our Rules and Regulations and, more importantly, the spirit and commitment of our people in the Department, we believe, are second to none. And as a result of this we have our people here tonight to receive the gold stars. Let me just say that in the past two weeks we have had three officers in the San Francisco Police Department wounded and thank God all three are alive and doing well. It is a great honor for me and as a Commissioner of Police in San Francisco to observe with my colleagues and with the Department as we review and present these awards this evening."

Commissioner Sanchez then called upon the other Commissioners to make comments and all responded in the following order: Commissioner Nelder commended the officers and their families and noted the city would be in terrible trouble if it were not for the outstanding bravery shown by officers of this department; Commissioner Daly said she felt it was a wonderful opportunity for her as a Police Commissioner to express appreciation for the job that the officers of this department undertake; Commissioner Murphy said that she has sat on many of these committees and that she was a little jealous because she has never been able to come up with as many gold awards as will be presented today, but



she was very pleased because knowing the toughness of the Committee in issuing these awards the recipients must most certainly deserve them; Commissioner Toler said that he has been on the Commission for the last 3 and ½ years and his heart goes out to the families and loved ones of these officers who have distinguished themselves by each day putting their lives on the line for the citizens of this city. He also congratulated the Chief for his leadership and development of such worthy representatives of this fine police department.

The awards were then presented as follows:

PRESENTATION OF MEDALS OF VALOR AWARDS AND CERTIFICATES





Officer Gregory M. Lynch.....Bronze Medal  
Officer Lynn J. Smoot.....Meritorious Con-  
duct Certificate  
Lieutenant Samuel G. Hamilton.....Meritorious Con-  
duct Certificate  
Inspector Kenneth R. King.....Meritorious Con-  
duct Certificate  
Officer Leslie F. Adams.....Meritorious Con-  
duct Certificate  
Officer Robert C. Hernandez.....Meritorious Con-  
duct Certificate  
Officer Nicholas J. Rubino.....Meritorious Con-  
duct Certificate

Lieutenant Vernon D. McDowell's wife, Mrs. Beverly McDowell, was presented a Meritorious Conduct Certificate awarded to her husband Postumously: A eulogy read by Lieutenant Frazier was as follows:

"LIEUTENANT VERNON D. MC DOWELL

The Police Commission is proud and deeply honored today to pay tribute to a man who gave, not only to his country and his city that he loved so dearly, but to the Police Department that he served so well. We have in our presence, Mrs. Beverly McDowell, the wife of the late Lieutenant Vernon McDowell, whose distinguished and illustrious career in the San Francisco Police Department did so much to protect the citizens of this city.

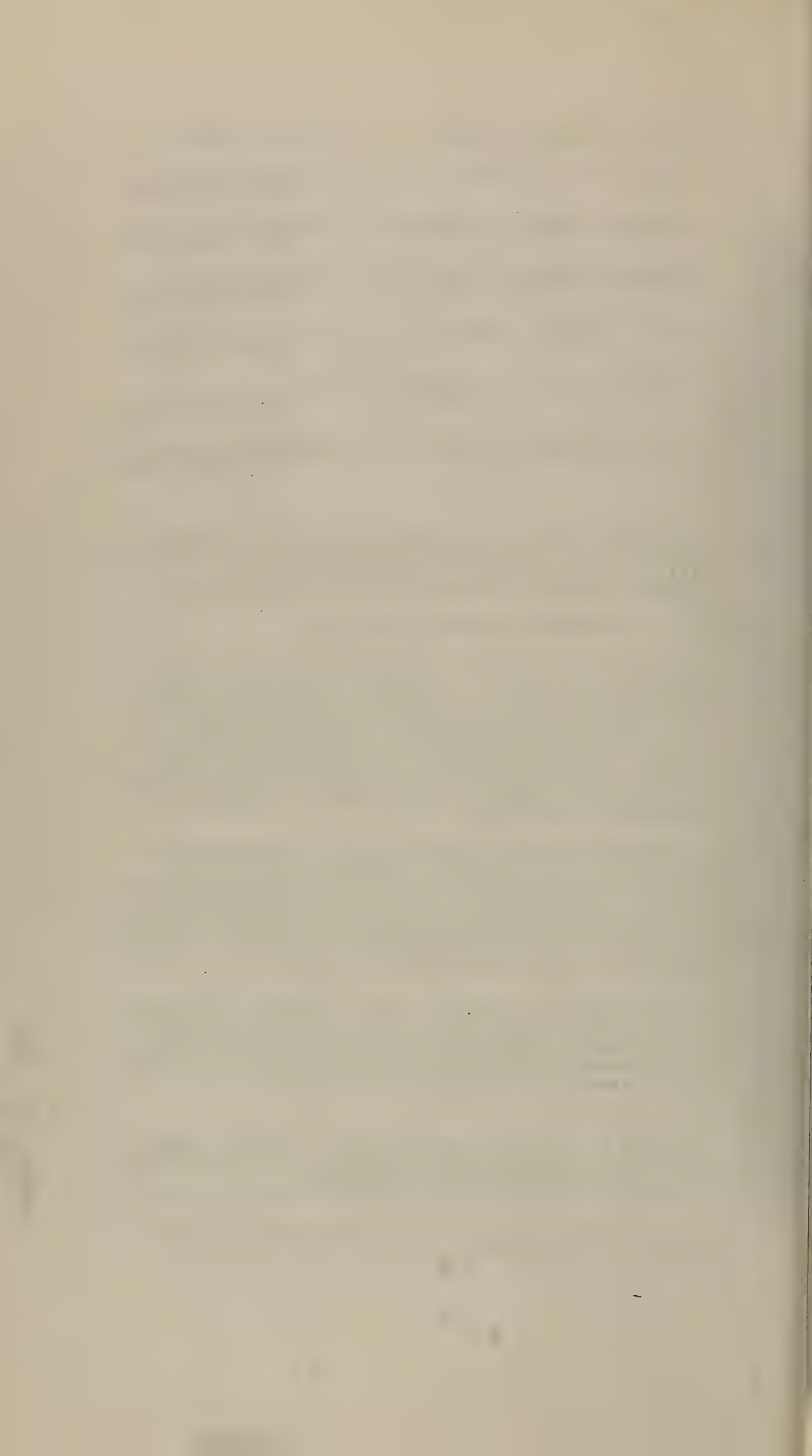
Lieutenant McDowell joined the Police Department in 1953, and epitomized the conception of all things that we feel are necessary to be a successful police officer. He served in many areas of the Police Department with his last assignment being that of the Supervisory Officer-in-Charge of the Property Management Unit, better known as the "Sting."

We would like to present to Mrs. McDowell, on behalf of her late husband, the Police Department's Meritorious Conduct Certificate for one of the many roles that Lieutenant McDowell played in bringing the criminal elements of this city to justice."

REQUEST OF THE SAN FRANCISCO POLICE OFFICERS' ASSOCIATION TO MEET AND CONFER RELATIVE TO GENERAL ORDER P-6, LIKE WORK/LIKE PAY APPOINTMENTS.

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Deputy Chief Shannon said he and Mr. Barry of the



Police Officers' Association, had met and conferred on this item and, unfortunately, came to an impasse and he is therefore requesting, at the Commission's convenience, to set a date to Meet and Confer on this matter.

The Commission then voted to hold a Meet and Confer session with the Police Officers' Association at 4:00 p.m., on the 29th of April.

RECEIPT OF REVISION OF GENERAL ORDER NO. B-1,  
PHYSICAL AGILITY STANDARDS, PHYSICAL FITNESS  
STANDARDS. (COPIES SENT TO EMPLOYEE ORGANIZA-  
TIONS.)

Deputy Chief Shannon said this is just for setting and he felt that two weeks would be sufficient time for re-scheduling. He said there is a minor change in the order on the last page which lengthens the time before an officer, in violation of its provisions, would come before the Commission.

He said he had just spoken to Mr. Barry of the Police Officers' Association who has yet to review it but indicates at this time that he does not foresee any major problems with it.

This matter was then voted to be on calendar for the Police Commission Calendar of the 22nd of April.

\*SETTING OF DATE FOR HEARING OF GRIEVANCE OF CAP-  
TAIN JOHN MAHONEY AND SERGEANT CLARENCE WILLIAMS,  
INTERNAL AFFAIRS BUREAU

Inspector Paul Chignell said that the Police Officers' Association was handling this grievance and indicated that he would agree to scheduling the matter for any time after the 15th of May. He said they would also be asking for an open hearing of this grievance.

Commissioner Sanchez said he felt that under those circumstances the Commission would have to reconsider hearing it. He said the grievance, as so stated, would involve a public hearing which was held a couple of years ago where charges filed against an officer were not sustained and that it was his understanding that this request to hear this grievance would be for a closed hearing, or an Executive Session. He said if,





in fact, this is going to be for an open hearing, then he would recommend that it be held off calendar for a week until the Commission has had enough time to reconsider the matter.

Inspector Chignell then said, after some discussion with the grievants, that they would not be opposed to a closed hearing as long as the material could be divulged outside, or not kept inside of the room, because they would like to take this material and talk to other people, or whatever they may wish to do with it.

Commissioner Nelder said that he felt under normal procedures the grievants are entitled to a public hearing and the Commission should set a date to hear it so that no wrongful inference is taken.

Commissioner Murphy said she did not know the ramifications of the previous case because she did not sit on it at all but since no one is being deprived of their work, or salary, or anything of that nature, that the Commission schedule the matter for hearing on a date in late May, or the first part of June.

The Commission then set the matter for open public hearing on June 3, 1981.

\*On Friday, April 10, 1981, a letter was sent to all parties concerned that Hearings on all Grievances received and not heard at this time have been cancelled.

\*SETTING OF DATE FOR HEARING OF GRIEVANCE OF POLICE OFFICER MICHAEL CHAN, POLICE ACADEMY

Inspector Chignell said the Police Officers' Association would like this matter to be heard as soon as possible as this officer has been waiting for quite some time to be accepted for the Solo/Motorcycle Detail.

Commissioner Nelder then moved for this Grievance to be heard at 4:00 p.m., on Wednesday, April 15, 1981.

\*Hearings of all Grievances received and not heard at this time have been cancelled.





PUBLIC HEARING ON THE ISSUANCE OF AN AUTO WRECKER  
AND SECOND-HAND DEALER PERMIT, 525 PHELPS STREET,  
SAN FRANCISCO. (CONTINUED FROM THE MEETING OF  
MARCH 18, 1981.)

Officer Mike Mahoney from Potrero Station appeared on behalf of Captain George Rosko and said the Commission at its last meeting on this matter requested Mr. Kennedy to be present before making a decision as to whether to issue this permit or not.

Commissioner Sanchez said the Commission traditionally has always required the people who applied for various permits to appear before the Commission so that if there were any questions the applicant would be available to answer them.

Mr. Kennedy said that he had made plans to appear at an earlier scheduled hearing, but it was postponed. He continued by saying he then made plans to go to Hawaii and apparently he was there when the matter came up for hearing before the Commission. Mr. Kennedy then assured the Commission that his operation would be kept clean inside and out and that he would comply with all rules and regulations of the various codes governing his operation.

Officer Mahoney said that he felt Mr. Kennedy has one of the nicest appearing yards in the entire area. He said the station's recommendation is one of approval for granting this permit.

Commissioner Nelder then moved for approval and it was unanimously approved.

RESOLUTION NO. 221-81

PUBLIC HEARING ON THE ISSUANCE OF AN AUTO WRECKER AND  
SECOND-HAND DEALER PERMIT, 525 PHELPS STREET, SAN  
FRANCISCO

WHEREAS, the Police Commission on April 8, 1981, heard the application of James J. Kennedy, Jr., dba "All Import Auto Dismantlers Inc.," for the issuance of an auto wrecker and second-hand dealer permit at 525 Phelps Street in the City and County of San Francisco; and

WHEREAS, applicant appeared in person and presented oral testimony in support of his application; and



WHEREAS, written recommendations of approval were submitted from Potrero Police Station, the Department's Auto Section and other appropriate City agencies; therefore be it

RESOLVED that the Police Commission in accordance with the provisions of Section 1237 of the San Francisco Municipal Code (Police Code) does hereby grant to James J. Kennedy, Jr., dba "All Import Auto Dismantlers Inc.," an auto wrecker and second-hand dealer's permit for the purpose of buying, selling, exchanging, storing or dealing in used or second-hand automobiles, motor vehicles, motorcycles, equipment, storage batteries and parts of automobiles or automobile accessories at 525 Phelps Street, in the City and County of San Francisco.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

At this time an individual from the audience raised his hand to be heard on a subject matter not calendared for today's Commission Meeting.

Commissioner Sanchez then asked him to come forward, give his name, and indicate whether he was speaking on behalf of an organization and he would be allowed five (5) minutes to state his point.

Mr. Richard Stipman then came forward and said he was here on a matter that came up seven (7) or eight (8) years ago when Commissioner Nelder was party defendant to the Tow Keepers Lien Law Suit which was Stipman versus Nelder and was later changed by the 9th Circuit Court of Appeals to Stipman versus City and County of San Francisco. He said that it was the suit in which a previous Commission found no fault on the part of the officers and in which the Federal Courts did not sustain the decision the Commission had found fault in and declared the California Tow Keepers Lien Law unconstitutional. He said during the progress of that suit he became the victim of a great deal of police harrassment and filed numerous police reports with Internal Affairs. He said the current matter in which he is here for, pursuant to directions of Judge Dorothy Von Beroldengen in Department 17, is trying to get the cooperation of the police department to follow the suggestions the court made to him. He said what he finds is that the police does not allow him to file a report of a criminal offense against his landlord with the police, or take it to the District Attorney's Office, or Southern Station and then





Internal Affairs refuses to allow him to file a report against the officers. He said the officer who works in the Chief's Office is calling and having him declared an "800," and defaming his character to others in the building when he is lawfully here. He said he is forced here tonight because he is not allowed to use the Internal Affairs Bureau.

Commissioner Sanchez said that the Commission would turn this over to the Chief so that the Chief could properly follow it up and make the proper decision in that regard.

REQUEST FOR SUPPLEMENTAL APPROPRIATION TO TRANSFER FUNDS FROM THE HOLIDAY PAY ACCOUNT TO THE OVERTIME ACCOUNT.

Deputy Chief Shannon said that there has been a lot of arrest made and a lot of those have been made by officers working the night shifts. Because of this the Department's Court overtime has gone up and the Department did not make the correct projections in this regard and are now coming back to request this transfer of funds to allow the Department to get through the next fiscal year.

The Commission then unanimously approved this request.

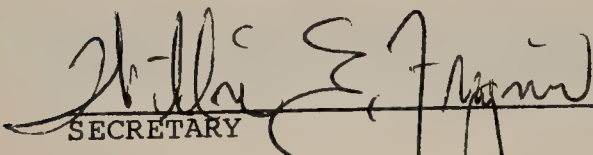
RESOLUTION NO. 224-81

REQUEST FOR SUPPLEMENTAL APPROPRIATION TO TRANSFER FUNDS FROM THE HOLIDAY PAY ACCOUNT TO THE OVERTIME ACCOUNT.

RESOLVED, that the Police Commission hereby approves a Supplemental Appropriation transferring \$205,000 from the Holiday Pay Account to the Overtime Account.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

The Commission then adjourned its meeting at 7:00 p.m.

  
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SECRETARY



APR 30 1981

15 APRIL 1981.

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, April 15, 1981 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Sanchez

ABSENT: Commissioner Murphy

Commissioner Sanchez presiding.

The Commissioners, having received, amended and returned copies of the minutes of the meeting of March 18, 1981, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler, Sanchez

ABSENT: Commissioner Murphy

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

850 VAN NESS AVENUE - GOURMET INTERNATIONAL INC.

- a) At 850 Van Ness Avenue, install a 44' yellow zone, extending from 20' to 64' south of Ellis Street.
- b) Meter 828 to be removed.

1602 OCTAVIA - THE QUEEN ANNE HOTEL - DENIED

- a) At 1602 Octavia, install a 22' white zone, extending from north property line 22' south of same. DENIED.



1602 OCTAVIA - THE QUEEN ANNE HOTEL - DENIED

- a) At 1602 Octavia, install a 24' yellow zone, extending from south side of driveway at 1602, 24' south of same. DENIED.

624 POST STREET - ANDREWS HOTEL - DENIED

- a) At 624 Post Street, install a 24' white zone, extending from 4' to 28' west of east property line. DENIED.

1798 FILBERT STREET - S.F.P.D. - REVOKED

- a) At 1798 Filbert Street, revoke existing 20' green zone, extending from 6' to 26' east of Octavia.

1659 HAIGHT STREET - S.F.P.D. - REVOKED

- a) At 1659 Haight Street, revoke existing 36' yellow zone, extending from 4' east to 32' west of the east line of the building.

1185 CHURCH STREET - KIMMS BARBER SHOP - REVOKED

- a) At 1185 Church Street, revoke existing 16' yellow zone, extending from 5' north to 11' south of the north line of the building.

1731-51 - 15th STREET - GOLD MOUNTAIN MONESTARY - REVOKED

- a) At 1731-51 - 15th Street, revoke existing 44' green zone, extending from 6' to 50' east of west property line.

AYES: Commissioners Daly, Nelder, Toler,  
Sanchez

ABSENT: Commissioner Murphy

REVOKED

RESOLVED, that the recommendation of the





Traffic Bureau on the revocation of 116 feet of green and yellow zones, at the parts of the City, at the locations submitted be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler,  
Sanchez

ABSENT: Commissioner Murphy

RESOLUTION NO. 222-81

JUDITH G. ATKINSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Judith G. Atkinson against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 13, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Sanchez

ABSENT: Commissioner Murphy

RESOLUTION NO. 223-81

JOE BERRY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joe Berry against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 11, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Sanchez

ABSENT: Commissioner Murphy



RESOLUTION NO. 225-81

FOSTER & KLEISER  
(DIVISION OF METROMEDIA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Foster & Kleiser (Division of Metromedia) against the City and County of San Francisco in the sum of \$277.73 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 11, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Sanchez

ABSENT: Commissioner Murphy

RESOLUTION NO. 226-81

THUY T. LUONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thuy T. Luong against the City and County of San Francisco in the sum of \$952.62 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: January 30, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Sanchez

ABSENT: Commissioner Murphy

RESOLUTION NO. 227-81

ARCHIE A. PADILLA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Archie A. Padilla against the City and County of San Francisco in the sum of \$160.00 as the result





of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Sanchez

ABSENT: Commissioner Murphy

RESOLUTION NO. 228-81

LEOPOLDO AND VICTORIA RODRIGUEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leopoldo and Victoria Rodriguez against the City and County of San Francisco in the sum of \$40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 2, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Sanchez

ABSENT: Commissioner Murphy

RESOLUTION NO. 229-81

LARRY S. SOLOMON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Larry S. Solomon against the City and County of San Francisco in the sum of \$245.47 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 9, 1981

AYES: Commissioners Daly, Nelder, Toler,  
Sanchez

ABSENT: Commissioner Murphy



RESOLUTION NO. 230-81

CENTRAL MUTUAL INSURANCE CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Central Mutual Insurance Company against the City and County of San Francisco in the sum of \$1,319.83 in Municipal Court Action No. 806-515 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 16, 1980

AYES: Commissioners Daly, Nelder, Toler,  
Sanchez

ABSENT: Commissioner Murphy

RESOLUTION NO. 231-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Lieutenant Daniel J.)	\$797.00	(Law Enforcement
Murphy )		(Hypnosis Seminar,
Intelligence Unit )		(Los Angeles, Cal-
		(ifornia, from March
		(26, 1981 to March
		(29, 1981.

AYES: Commissioners Daly, Nelder, Toler,  
Sanchez

ABSENT: Commissioner Murphy

RESOLUTION NO. 232-81

AUTHORIZING ATTENDANCE OF SERGEANT JOHN MINOLI AND POLICE OFFICER HOWARD BERGMARK, LEGAL OFFICE, AT A POLICE CIVIL LIABILITY WORKSHOP IN SAN FRANCISCO, CALIFORNIA, FROM MAY 4, 1981 TO MAY 6, 1981

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RESOLVED, that the recommendation of



the Chief of Police that Sergeant John Minoli and Police Officer Howard Bergmark, Legal Office, be detailed to attend a Police Civil Liability Workshop in San Francisco, California, from May 4, 1981 to May 6, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant John Minoli and Police Officer Howard Bergmark, Legal Office, in a sum not to exceed \$325.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler,  
Sanchez

ABSENT: Commissioner Murphy

RESOLUTION NO. 233-81

AUTHORIZING ATTENDANCE OF SERGEANT ALAN W. BENNER, RECRUITMENT AND RETENTION UNIT, AT A STRESS SEMINAR WORKSHOP, AT SACRAMENTO, CALIFORNIA, FROM APRIL 21, 1981 TO APRIL 22, 1981

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RESOLVED, that the recommendation of the Chief of Police that Sergeant Alan W. Benner, Recruitment and Retention Unit, be detailed to attend a Stress Seminar Workshop, at Sacramento, California, from April 21, 1981 to April 22, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Alan W. Benner, in a sum not to exceed \$140.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler,  
Sanchez

ABSENT: Commissioner Murphy

POLICE COMMISSION REPORT

Commissioner Sanchez said the first item of discussion would be the proposed Charter Amendment by Supervisor Silver limiting terms of Boards and Commissions to no more than two successive terms.





Commissioner Nelder said he felt that the Mayor, who is the appointing authority as far as Boards and Commissions are concerned, should have the right to appoint, maintain or retain any Commissioner or Board Member that he, or she, would desire. He said he felt this way, because the Mayor is held responsible for the administration of the City, and if the Mayor is limited by a given tenure, such as one term, or two terms, it would probably work to the detriment of that Chief Executive Officer. He said he would suggest that the Commission take a position of no recommendation.

Commissioner Daly said that she concurred with Commissioner Nelder in that the expertise that is garnered through service on a given Board or Commission is a valuable asset to City Government.

The Commission then unanimously voted to respond with a "no recommendation" position to this proposed Charter Amendment.

On the second item Commissioner Sanchez asked Officer Lamont Suslow from the Department's Permit Bureau, to give the Commission a brief summation on this matter.

Officer Suslow said the Department's recommendation, after a meeting with various members in the Department, is that the Police Commission consider holding Public Convenience and Necessity Hearings on Jitney Busses, especially on the new downtown route.

After further discussion the Commission voted to hold Public Convenience and Necessity Hearings for the issuance of Jitney Permits on Wednesday, May 20th, 1981.

Commissioner Sanchez said before moving on to the next item he wanted to report that the Police Commission met in Executive Session today at 4:30 p.m., to discuss Personnel Matters and litigation with their attorneys.

He said no vote was taken at that time.

#### CHIEF'S REPORT TO THE POLICE COMMISSION

##### Presentation of Traffic Officer of the Month Award

Deputy Chief Shannon reported that at this time the



Department was going to have presented to Officer Lynn Smoot the Traffic Officer of the Month Award. He said, however, the officer is off sick and another date will have to be selected to make this presentation.

After that he said he had no further report.

RECEIPT OF RE-WRITE OF DEPARTMENT GENERAL ORDER O-1, "OUTSIDE AGENCY REPORTS." (COPIES SENT TO EMPLOYEE ORGANIZATIONS.)

Deputy Chief Shannon said the Department issued General Order #O-1, December of 1980, and it stated how the Department should handle reports from outside agencies but forgot to say how the Department would handle a situation where someone from an outside jurisdiction reported a crime. He said, in other words, it is the second half of the order that should have been put together with the first part back in December.

The Commission then set the matter over for the 29th of April.

Commissioner Sanchez said for the record, after a poll of the Commissioners, it has been discovered that there will not be a quorum for next week's meeting and it will not be held. He said he is therefore making the announcement as such at this time.

PUBLIC HEARING RELATIVE TO THE PROPOSED AMENDMENT TO REGULATION STAR SPECIFICATIONS MANUAL OF THE SAN FRANCISCO POLICE DEPARTMENT - CIVILIAN EMPLOYEES. (CONTINUED FROM THE MEETING OF MARCH 25, 1981.)

Deputy Chief Shannon reported that this item is ready for adoption and that Local 400, the only employee association that would be interested in the contents, did not request to Meet and Confer.

He said, basically, what the order calls for from now on is to just issue I.D. Cards to civilian employees.





RESOLUTION NO. 234-81

AMENDMENT TO REGULATION STAR SPECIFICATIONS  
MANUAL OF THE SAN FRANCISCO POLICE DEPART-  
MENT - CIVILIAN EMPLOYEES - APPROVED

RESOLVED, that all non-sworn employees who had been authorized to acquire a star may retain them until retirement, termination, or change of classification; hereafter, all permanent employees will not be issued the chrome-plated shield formerly authorized by Permanent Order #23 of 1974. Non-sworn employees will still be required to obtain an identification card from the Personnel and Training Division.

AYES: Commissioners Daly, Nelder, Toler,  
Sanchez

ABSENT: Commissioner Murphy

PUBLIC HEARING RELATIVE TO THE DEPARTMENT'S  
AMENDED LIMITED DUTY POLICY. (CONTINUED FROM  
THE MEETING OF APRIL 1, 1981.)

Deputy Chief Shannon said he would request the Commission to extend this item as the Department is having a small problem relating the law with this policy. He said the law was very vague on this issue and staff is currently researching the law.

He said they had set up a Meet and Confer with the Police Officers' Association on this issue but it had to be cancelled for lack of specific information.

He said he would request a two week continuation.

Commissioner Nelder then suggested that it be placed off calendar until he (Deputy Chief Shannon) made a recommendation to return it to the calendar.

It was so moved by the Commissioner and the recommendation to place it off calendar was unanimously approved.



RESOLUTION NO. 235-81

JITNEY BUS LICENSE AND/OR PERMIT - GONZALO  
MONTANARI - REVOKED

WHEREAS, on April 8, 1981, the Police Commission sent a communication certified mail, return receipt requested, to Gonzalo Montanari, notifying him that it would conduct a hearing on April 15, 1981, to determine whether it should direct the Police Department to revoke his permit and/or licenses for abandonment of his jitney bus business; and

WHEREAS, Mr. Montanari failed to appear at the Police Commission Hearing on April 15, 1981, and he was not represented by counsel; therefore be it

RESOLVED, that the Police Commission pursuant to the provisions of Section 4a of Proposition K, does hereby find that Gonzalo Montanari is not operating his jitney bus and has not so operated it for a period in excess of ten (10) consecutive days, and has abandoned his said jitney bus business for a period of ten (10) consecutive days; and be it further

RESOLVED, that the Police Commission having given five (5) days written notice to Gonzalo Montanari that his permit is subject to revocation as provided in Section 4a of Proposition K, does hereby direct the Police Department of the City and County of San Francisco to revoke the license and/or permit authorizing Gonzalo Montanari to operate a jitney bus on the Mission Street Route.

AYES: Commissioners Daly, Nelder, Toler,  
Sanchez

ABSENT: Commissioner Murphy

HEARING OF POLICE OFFICER JOSEPH F. ENGLER, SUPPORT  
SERVICES BUREAU - COMMUNICATIONS DIVISION

The hearing of Police Officer Joseph F. Engler, Support Services Bureau, Communications Division, was called, it having been set for this date. Police Officer Engler was charged with violating the Rules and Procedures, as follows:



SPECIFICATION NO. 1

Being under the influence of intoxicating liquor to the extent of being unable to exercise police powers. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Arrested for violation of Section 23102 of the California Vehicle Code. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Arrested for violation of Section 243 of the California Penal Code. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by James A. Ryan, Acting Chief of Police, San Francisco Police Department.

Police Officer Joseph F. Engler appeared in person and was represented by Mr. George J. Engler, Attorney at Law.

Mr. Robert A. Martin, Attorney at Law, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

Opening statements were made by both the Prosecuting and Defense Attorneys.

Police Officer Joseph F. Engler, entered, through his attorney, a plea of "Guilty" to Specifications Nos. 1 and 2, and "Not Guilty" to Specification No. 3.

The following-named witnesses were called





by the Prosecution, were duly sworn and testified:

Officer Charles Whitmore  
California Highway Patrol  
Sacramento, California

Sergeant James C. Dukes  
California Highway Patrol  
Sacramento, California

The following-named witness was called  
by the Defense, was duly sworn and testified:

Police Officer Joseph F. Engler  
Support Services Bureau-  
Communications Division

Closing statements were then made by  
both the Prosecuting and Defense Attorneys.

The Commission took the matter under  
submission after which the following resolution  
was adopted:

RESOLUTION NO. 236-81

DECISION - HEARING OF POLICE OFFICER JOSEPH F.  
ENGLER, SUPPORT SERVICES BUREAU-COMMUNICATIONS  
DIVISION

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WHEREAS, on August 6, 1980, James A.  
Ryan, Acting Chief of Police of the San Francisco  
Police Department, made and served charges against  
Police Officer Joseph F. Engler, as follows:

SPECIFICATION NO. 1

- a) That at or about 0240 hours in Contra  
Costa County, in the vicinity of the  
eastern end of Richmond-San Rafael  
Bridge, the accused was operating his  
1979 Datsun automobile, License No.  
648YUH and that this occurred on Aug-  
ust 4, 1980.
- b) That while in the course of operat-  
ing such vehicle the accused did  
stop his vehicle in a traffic lane  
and passed out;



- c) That when the California Highway Patrol Officer arrived at the scene the engine of the accused's automobile was still running;
- d) That upon investigation by the California Highway Patrol relative to the vehicle it was discovered that the accused was in an intoxicated condition;
- e) That the accused refused to submit to any test of the presence of blood/alcohol in his body;
- f) That the observations of the California Highway Patrol Officer indicated that the accused was intoxicated and unable to exercise police powers;
- g) That because of the above-stated conduct the accused did violate Section 2.125 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

2.125 "Shall not, while on duty or in uniform, drink any kind of intoxicating liquor or whether on or off duty be under the influence of intoxicating liquor to such an extent that he will not always be prepared to exercise police powers and be entrusted with the performance of police duty in a calm, deliberate and efficient manner."

SPECIFICATION NO. 2

- a) Paragraphs (a) through (g) of Specification No. 1 are hereby incorporated as though fully set forth;
- b) That because of the conduct of the accused outlined in Specification No. 1, officers of the California Highway Patrol investigated this incident;
- c) That a police report was made by the investigating California Highway Patrolman and the result of the investigation was the arrest of the accused for a violation of Section 23102 of the California Vehicle Code;





- d) That the arrest of the accused has brought discredit upon the San Francisco Police Department;
- e) Because of the above-stated conduct the accused did violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

2.13 "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

SPECIFICATION NO. 3

- a) Paragraphs (a) through (g) of Specification No. 1, and paragraphs (a) through (e) of Specification No. 2, are hereby incorporated as though fully set forth;
- b) That during the conduct of the investigation mentioned in Specification No. 2, the California Highway Patrol Officers had occasion to have a violent confrontation with the accused;
- c) That the accused was informed that the arresting officers were peace officers and he knew or should have known that they were acting within the course and scope of their employment as peace officers;
- d) That the accused did assault and batter the arresting California Highway Patrolmen;
- e) That the accused was thereafter arrested for violation of Section



243 of the California Penal Code  
(Battery on a Peace Officer);

- f) That as a result of the above the accused has brought discredit upon the San Francisco Police Department;
- g) Because of the above-stated conduct the accused did violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

2.13 "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency, or discipline of the department, or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, April 15, 1981, and that on Wednesday, April 15, 1981, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Joseph F. Engler, Support Services Bureau-Communications Division, as contained in Specification No. 1, violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department are sustained by the evidence presented at the hearing; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Joseph F. Engler, Support Services Bureau-Communications Division, as contained in Specification No. 2, violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department, are sustained by the evidence presented at the hearing; and



WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Joseph F. Engler, Support Services Bureau-Communications Division, as contained in Specification No.3, violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department, are not sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Joseph F. Engler, has violated Specification No.1, Section 2.125 of the Rules and Procedures of the San Francisco Police Department, and Specification No. 2, violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for violation of Specification No. 1, Section 2.125, Police Officer Joseph F. Engler shall be suspended for a period of Thirty (30) calendar days without pay; and be it further

RESOLVED, that it is the order of the Police Commission that for violation of Specification No. 2, Section 2.13 of the Rules and Procedures of the San Francisco Police Department, Police Officer Joseph F. Engler shall be suspended for a period of fifteen (15) calendar days without pay; and be it further

RESOLVED, that said suspensions are to run consecutively, commencing Wednesday, April 22, 1981 at 0001 hours and terminating at 2400 hours, Friday, June 5, 1981.

Recess taken during the hearing of  
Police Officer Joseph F. Engler:

1905 hours to 1926 hours

(The entire proceedings were taken in  
shorthand form by Hearing Reporter  
Dorsey McTaggart, C.S.R.)

AYES: Commissioners Daly, Nelder, Toler,  
Sanchez

ABSENT: Commissioner Murphy

The Commission then adjourned its meeting at  
7:45 p.m.

  
SECRETARY



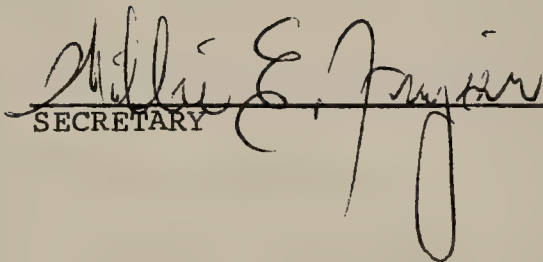


22 APRIL 1981

REGULAR MEETING

SF Minutes

Due to no quorum being available no  
Police Commission Meeting was held on  
this date.

  
SECRETARY

DOCUMENTS DEPT.

APR 01 1981

APR 01 1981



APR 29 1981

29 APRIL 1981

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, April 29, 1981 at 1600 hours in Special Session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

1: Meet and Confer with the San Francisco Police Officers' Association.

RE: General Order P-6, Like Work/Like Pay Appointments.

The Police Commission with all Commissioners in attendance, met and conferred with the President and Vice President of the San Francisco Police Officers' Association on the proposed General Order P-6, Like Work/Like Pay Appointments.

Topics of discussion were:

- a) Departure from last order on this subject in that before appointments are made to fill temporary absences of Captains, the absences must be for at least 7 days before an appointment would be made.
- b) Possible elimination of Like Work/Like Pay appointments to fill temporary absences of Sergeants.
- c) Divisions reporting directly to the Chief and/or Exempt Positions shall not be filled on a Like Work/Like Pay basis unless authorized by the Chief of Police.

The parties in the discussion of these issues failed to reach an agreement, but did agree that the Police Officers' Association would go back to the Administration representatives for further Meet and Confer Sessions to see if differences could be solved and agreements reached at that level.





29 APRIL 1981

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, April 29, 1981 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

Commissioner Sanchez presiding.

The Commissioners, having received, amended and returned copies of the minutes of the meeting of March 25, 1981, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1913 DIVISADERO STREET - SAN FRANCISCO AMBULANCE SERVICE

- a) At 1913 Divisadero Street, install a 19' red zone, extending between driveway to replace meter #1913 Divisadero.

332 CLEMENT STREET - THE FOOK RESTAURANT

- a) At 332 Clement Street, install a 22' white zone, extending from west building line 22' east of same.
- b) Meter #318 to be removed.



1001 PAGE STREET - SHURAFU MARKET

- a) At 1001 Page Street, install a 22' green zone, extending from end of red zone at Divisadero Street 22' west of same.

3027-26th STREET - KINDON HALL

- a) At 3027-26th Street, install a 22' white zone, extending from west property line 22' east of same.

430 MAIN - THE REIS CORPORATION

- a) At 430 Main, install a 44' yellow zone, extending from south building line 44' north of same.

837 WASHINGTON STREET - CHUNG

- a) At 837 Washington Street, install a 66' Special Truck Loading Zone 4' west of west curb from Waverly Place to meter WAS 825.

963 HARRISON STREET - TOOL WORKS

- a) At 963 Harrison Street, install a 44' blue zone, extending between driveway at 963 Harrison Street.

299 DIVISADERO STREET - SHURAFU MARKET

- a) At 299 Divisadero Street, install a 22' yellow zone, extending from north property line 22' south of same.

667 COMMERCIAL - CHINATOWN-NORTH BEACH  
EMPLOYMENT DEVELOPMENT

- a) At 667 Commercial, revoke existing 20' yellow zone extending from 112' to 132' east of Kearny Street. Replace with 20' blue zone extending from 112' to 132' east of Kearny Street.
- b) Repaint 24' white zone.



297 DUBOCE STREET - SMITH CORONA

- a) At 297 Duboce Street, revoke existing 36' white zone, extending between Market Street and driveway. Replace with 36' green zone, extending from driveway 36' west to red zone.

373 COLUMBUS AVENUE - MOLINARI & SONS GROCERIES

- a) At 373 Columbus Avenue, revoke existing 30' yellow zone, extending from 3' south to 27' north of south line.

2370 MARKET STREET - AU NATURAL FOOD

- a) At 2370 Market Street, revoke existing 22' yellow zone in parking bay, extending from west end of bay.

1401 GOUGH STREET- S.F.P.D. - REVOKED

- a) At 1401 Gough Street, revoke existing 21' yellow zone, extending from 21' to 42' north of Post Street.

2801 JONES STREET - MECH MUSEUM - REVOKED

- a) At 2801 Jones Street, revoke existing 66' yellow zone, extending from 52' to 118' north of Beach Street.

375 FRANCISCO STREET - FRANCISCO JUNIOR HIGH SCHOOL - REVOKED

- a) At 375 Francisco Street, revoke existing 27' yellow zone, extending from 39' to 66' west of east line of machine shop building.

850 BRODERICK STREET - FLORENCE CRITTENTON SERVICES - REVOKED

- a) At 850 Broderick Street, revoke existing 25' white zone, extending from 9' to 34' south of Golden Gate Avenue.





850 BRODERICK STREET - FLORENCE CRITTENTON  
SERVICES - REVOKED

- a) At 850 Broderick Street, revoke existing 44' green zone, extending from 34' to 78' south of Golden Gate Avenue.

3560 TARAVAL STREET - S.F.P.D. - REVOKED

- a) At 3560 Taraval Street, revoke existing 25' yellow zone, extending from 6' to 31' east of 46th Avenue.

1514 UNION STREET - MUNI RAILWAY

- a) At 1514 Union Street, revoke 22' of existing 49' yellow zone, extending from 75' to 97' west of Van Ness Avenue.  
Replace with 22' of red zone for extension to bus zone.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 338 feet of yellow, green and white zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 237-81

BLANCHE FISHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Blanche Fisher against the City and County of San Francisco in the sum of \$115.00 as the



result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 9, 1981

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 238-81

JAMES BEARD .

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James Beard against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 21, 1981

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 239-81

MICHAEL G. BROCE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael G. Broce against the City and County of San Francisco in the sum of \$1,969.62 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 5, 1981

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler





RESOLUTION NO. 240-81

BRICKER'S SERVICE

RESOLVED, that the recommendation of the City Attorney for settlement of Bricker's Service against the City and County of San Francisco in the sum of \$35.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 24, 1981

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 241-81

ELSY V. CLYDE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elsy V. Clyde against the City and County of San Francisco in the sum of \$35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 26, 1981

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 242-81

JANET E. EVANS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Janet E. Evans against the City and County of San Francisco in the sum of \$40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 20, 1981

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler



RESOLUTION NO. 243-81

RONALD D. MOSKOWITZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ronald D. Moskowitz against the City and County of San Francisco in the sum of \$212.29 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 22, 1981

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 244-81

JOSEPH T. WOOTTON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joseph T. Wootton against the City and County of San Francisco in the sum of \$40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 19, 1981

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 245-81

CHARLES STALLWORTH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles Stallworth against the City and County of San Francisco in the sum of \$3,500.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 13, 1980

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler



RESOLUTION NO. 246-81

AUTHORIZING ATTENDANCE OF SERGEANT MORGAN PETERSON,  
JUVENILE DIVISION, AT A DELINQUENCY CONTROL INSTI-  
TUTE'S JUVENILE JUSTICE UPDATE, AT LOS ANGELES,  
CALIFORNIA, FROM MAY 4, 1981 TO MAY 8, 1981

RESOLVED, that the recommendation of the Chief of Police that Sergeant Morgan Peterson, Juvenile Division, be detailed to attend the Delinquency Control Institute's Juvenile Justice Update, at Los Angeles, California, from May 4, 1981 to May 8, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Morgan Peterson, in a sum not to exceed \$570.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 247-81

AUTHORIZING ATTENDANCE OF INSPECTOR JOHN CLEARY,  
CHIEF INVESTIGATOR FOR THE DISTRICT ATTORNEY'S  
OFFICE, AT THE C.I. COMMANDER CLASS, AT SACRA-  
MENTO, CALIFORNIA, FROM MAY 18, 1981 TO MAY 22,  
1981

RESOLVED, that the recommendation of the Chief of Police that Inspector John Cleary, Chief Investigator for the District Attorney's Office, be detailed to attend the C.I. Commander Class at Sacramento, California, from May 18, 1981 to May 22, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspector John Cleary, in a sum not to exceed \$290.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler





RESOLUTION NO. 248-81

AUTHORIZING ATTENDANCE OF POLICE OFFICER PAUL SEIDLER, COMMUNITY RELATIONS UNIT, AT THE 12th ANNUAL TRAINING CONFERENCE, AT BALTIMORE, MARYLAND, FROM MAY 7, 1981 TO MAY 10, 1981.

RESOLVED, that the recommendation of the Chief of Police that Police Officer Paul Seidler, Community Relations Unit, be detailed to attend the 12th Annual Training Conference at Baltimore, Maryland, from May 7, 1981 to May 10, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officer Paul Seidler, in a sum not to exceed \$75.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 249-81

AUTHORIZING ATTENDANCE OF SERGEANTS CORNELIUS NICHOLS AND GLENN PAMFILOFF, JUVENILE DIVISION, AT A CHILD ABUSE SEMINAR, IN SAN FRANCISCO, CALIFORNIA, FROM MAY 18, 1981 TO MAY 22, 1981

RESOLVED, that the recommendation of the Chief of Police that Sergeants Cornelius Nichols and Glenn Pamfiloff, Juvenile Division, be detailed to attend a Child Abuse Seminar in San Francisco, California, from May 18, 1981 to May 22, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeants Cornelius Nichols and Glenn Pamfiloff, in a sum not to exceed \$180.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler



RESOLUTION NO. 250-81

AUTHORIZING ATTENDANCE OF SERGEANTS FRANK HARRINGTON AND RENE LA PREVOTTE, VICE CRIMES-NARCOTICS DIVISION, AT A NARCOTIC INVESTIGATOR SCHOOL, AT SACRAMENTO, CALIFORNIA, FROM MAY 18, 1981 TO MAY 29, 1981

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RESOLVED, that the recommendation of the Chief of Police that Sergeants Frank Harrington and Rene La Prevotte, Vice Crimes-Narcotics Division, be detailed to attend a Narcotic Investigator School in Sacramento, California, from May 18, 1981 to May 29, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeants Frank Harrington and Rene La Prevotte, in a sum not to exceed \$580.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 251-81

AUTHORIZING ATTENDANCE OF 110 FIELD TRAINING OFFICERS AT AN ADVANCED OFFICER FIELD TRAINING REFRESHER COURSE AT SAN FRANCISCO AND SANTA CRUZ, CALIFORNIA, TO BE CONDUCTED IN FOUR SEPARATE SESSIONS OF FIVE DAYS EACH FROM MAY 11, 1981 TO MAY 15, 1981, JULY 13, 1981 TO JULY 17, 1981, SEPTEMBER 21, 1981 TO SEPTEMBER 25, 1981, AND NOVEMBER 2, 1981 TO NOVEMBER 6, 1981.

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RESOLVED, that the recommendation of the Chief of Police that 110 Field Training Officers be detailed to attend an Advanced Officer Field Training Refresher Course at San Francisco and Santa Cruz, California, to be conducted in four separate sessions of five days each from May 11, 1981 to May 15, 1981, July 13, 1981 to July 17, 1981, September 21, 1981 to September 25, 1981, and November 2, 1981 to November 6, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the 110 Field Training Officers in a sum not





to exceed \$3,200.00 per session with a total cost of \$12,640.00 for all four training sessions, is to be defrayed by the San Francisco Police Department's Police Officers' Training Fund with 30% salary reimbursement by POST.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 252-81

AUTHORIZING ATTENDANCE OF SERGEANT BILL VINCE AND INSPECTOR BRAD NICHOLSON, JUVENILE DIVISION; AT THE JUVENILE LAW ENFORCEMENT OFFICERS' TRAINING COURSE AT SACRAMENTO, CALIFORNIA, FROM APRIL 26, 1981 TO MAY 1, 1981

RESOLVED, that the recommendation of the Chief of Police that Sergeant Bill Vince and Inspector Brad Nicholson, Juvenile Division, be detailed to attend the Juvenile Law Enforcement Officers' Training Course, at Sacramento, California, from April 26, 1981 to May 1, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Sergeant Bill Vince and Inspector Brad Nicholson, in a sum not to exceed \$412.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 253-81

RECOMMENDATION OF THE CHIEF OF POLICE FOR \$300.00 TO COVER ADDITIONAL EXPENSES INCURRED BY LIEUTENANT RICHARD D. KLAPP, DEPARTMENT TRAINING MANAGER, POLICE ACADEMY, WHILE ATTENDING THE FBI NATIONAL ACADEMY IN QUANTICO, VIRGINIA.

RESOLVED, that the recommendation of the Chief of Police for an additional amount of \$300.00



to be granted to Lieutenant Richard D. Klapp, Department Training Manager, Police Academy, while attending the FBI National Academy in Quantico, Virginia, be, and the same is hereby approved; and be it further

RESOLVED, that this additional amount of \$300.00 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

At this point, Chief Murphy asked permission to move Item #5 for hearing at this time.

#### CHIEF'S REPORT TO THE POLICE COMMISSION

##### PRESENTATION OF TRAFFIC OFFICER OF THE MONTH AWARD

Chief Murphy: "Commissioners, you may recall several months ago through the Idea Committee of the Chamber of Commerce, that that Committee got together with the Police Department and they were concerned with traffic enforcement, fatalities and injuries in San Francisco and an idea came out of this Committee in that by their interest in traffic enforcement in San Francisco and to provide some incentive, or recognition of officers who work in traffic enforcement, the Chamber of Commerce and Mr. White, who is not only from the Chamber of Commerce but also from KBHK Channel 44, who has been spearheading this operation together with the Department, has reviewed performances not only in the Traffic Division, but also in the Patrol Division, and this month they elected Officer Lynn Smoot of Park Police Station. The reason we selected him for this particular award for the month of February, is during that particular month he made five incident reports, 5 bookings, wrote 43 moving violations and 25 parking violations at the Park Station. He has written 124 moving citations so far this year, so I think Officer Smoot very well deserves this award and, in addition to what he is going to get here tonight, if you will look around at some billboards in San Francisco, you will see Officer Smoot. Bill?"





Mr. Bill White: "8th and Folsom is the closest billboard and Eller Outdoor Advertising put it up as an indication that Officer Smoot is Traffic Officer for the Month. This is my personal swan song because a couple of guys has pulled the long straws for the next few months so you won't see me, it will be a different face, and I guess that will be okay.

I would like to introduce Frank Simon from the Chamber of Commerce who's department has control of this program, and Officer Smoot, I will give you the picture of San Francisco that we have been handing out to the officers as an appreciation which reads: 'Lynn J. Smoot Traffic Enforcement Officer of the Month of April 15th, 1981, San Francisco Chamber of Commerce.' And here are a few things to make Officer Smoot's life interesting for the next few weeks, he has a night for two at the Hyatt Regency, he has a dinner for two at the Carnelian Room on top of the Bank of America Building and dinner for two at Chic's Restaurant on Pier 39."

Officer Lynn Smoot: "Traffic Enforcement as some of you are aware is not our favorite thing to do. It's probably not the best public relations effort a police officer can make but my point of view has always been, if you think we can get along without traffic enforcement just go into your local shopping center and watch the grocery carts go up and down the aisles. That's what we would have without it.

Thank you."

#### POLICE COMMISSION REPORT

In answer to a question from Commissioner Murphy on a Departmental Information Bulletin, Chief Shannon said this bulletin announced a reinstitution of the Juvenile Diversion Program which was a grant funded program a few years ago and was dropped when the grant dried up.

#### PUBLIC HEARING RELATIVE TO RE-WRITE OF DEPARTMENT GENERAL ORDER O-1 OUTSIDE AGENCY REPORTS. (CONTINUED FROM THE MEETING OF APRIL 15, 1981.)

Deputy Chief Shannon said this order corrects the mistake of one of his units in that the order was issued stating when this department would notify outside police departments, but it didn't include





when this department would send our members to outside departments to conduct investigations. He said the order now includes both ends of it.

Commissioner Murphy then moved for approval and it was unanimously approved.

RESOLUTION NO. 254-81

RE-WRITE OF DEPARTMENT GENERAL ORDER O-1, OUTSIDE AGENCY REPORTS - APPROVED

RESOLVED, that the Police Commission hereby approves Department General Order O-1, "Outside Agency Reports," as revised April, 1981.

(Copy on file in the Police Commission Office.)

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

PUBLIC HEARING RELATIVE TO REVISION OF GENERAL ORDER NO. B-1, PHYSICAL AGILITY STANDARDS, PHYSICAL FITNESS STANDARDS. (CONTINUED FROM THE MEETING OF APRIL 8, 1981.)

Deputy Chief Shannon said he and Mr. Barry of the San Francisco Police Officers' Association, just had a quick Meet and Confer on this item and they both agreed to make a minor change. This change would be reflected on page 6 of the order, section D-1, third line, which now reads, "The Captain of Personnel who shall prepare a letter of admonishment to the officer involved."

He said the change they agreed to is: "The Captain of Personnel shall prepare a letter to the Officer involved. This letter shall notify the officer that continued failure to meet the applicable standards will result in a recommendation to the Chief of Police for a reprimand first, a Chief's disciplinary hearing next, and, finally, a filing of charges before the Police Commission."

Commissioner Nelder said that in the interest of orderliness, he would move for approval.

It was then unanimously approved.



The Chief then mentioned that on the same page another amendment was agreed upon and that was an added phrase under the Effective Limited Duty Status. The phrase would be added to the last sentence stating, "unless excused by the officers' attending physician and in concurrence with the Police Surgeon."

This amendment was also approved.

RESOLUTION NO. 255-81

REVISION OF GENERAL ORDER NO. B-1, PHYSICAL AGILITY STANDARDS, PHYSICAL FITNESS STANDARDS -- APPROVED

RESOLVED, the Police Commission hereby approves the revised General Order B-1, "Physical Agility Standards, Physical Fitness Standards."

(Copy on file in the Police Commission Office.)

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

REQUEST OF THE CHIEF OF POLICE FOR PERMISSION TO ACCEPT ON BEHALF OF THE POLICE DEPARTMENT THE GIFT OF A VEHICLE FROM THE CALIFORNIA STATE AUTOMOBILE ASSOCIATION FOR USE BY NORTHERN POLICE STATION

Chief Murphy said this was a very generous donation by the California State Automobile Association of a car which has been completely rejuvenated because when it was first given to the Department it was in a condition that was totally unacceptable. He said it was sent back to them and they, in turn, sent it to the shop and got it repaired.

He said it would be used as one of the undercover cars at Northern Station.

RESOLUTION NO. 256-81

AUTHORIZING ACCEPTANCE BY THE SAN FRANCISCO POLICE DEPARTMENT OF THE GIFT OF A VEHICLE FROM THE CALIFORNIA STATE AUTOMOBILE ASSOCIATION FOR USE BY





NORTHERN POLICE STATION

RESOLVED, that the San Francisco Police Commission hereby approves the gift of a vehicle from the California State Automobile Association for use by Northern Police Station.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

HEARING OF POLICE OFFICER HERBERT ALBERT, PLANNING AND RESEARCH

This matter was called and Ms. Wendy Linka, Legal Assistant in Mr. Willie Brown's Office, said she was appearing on Mr. P. Ryan's behalf who represented Mr. Albert before the Commission at Mr. Albert's last scheduled hearing. She indicated that it was her understanding that the case against Mr. Albert would not proceed until Mr. Albert had obtained his long sought after disability hearing before the Retirement Board.

It was pointed out to her that this was not so and that Mr. Ryan had stated that if Mr. Albert had not received his disability hearing by this time that Mr. Albert would resign from the Department.

It was then noted that Mr. Albert, today, sent in a letter to the Commission stating:

"370 Harkness Avenue  
San Francisco, Ca.  
April 28, 1981

The Police Commission  
City and County of San Francisco  
Hall of Justice  
850 Bryant Street  
San Francisco, Ca. 94103

Gentlepersons:

Since the Retirement Board has up to this date, steadfastly without good reason, for the past six (6) months or more delayed my disability hearing I have decided to accept my "buy out" and vesting" option of retirement from the San Francisco Police Department. My application for same has been submitted (copy attached).



With your permission, I respectfully request that my optional retirement date be on May 11th, thereby obviating the need for the scheduled hearing April 29, 1981 relating to me concerning this matter.

We do however hope for our long awaited disability hearing before the retirement board, before this date. In any event, I wish to thank you for your concern and diligence in my case.

With all best wishes,

Respectfully Submitted  
s/ Herbert Albert  
Police Officer Herbert Albert # 1043

cc: Police Personnel Office  
Police Payroll Office  
Civil Ser. Office  
Mr. Philip Ryan Att. at Law"

which was read aloud by Commissioner Sanchez.

After further discussion on this matter, the Commission moved to hold it over 1 more week at which time Commissioner Sanchez said there will definitely be a decision rendered.

Commissioner Murphy then added to the motion that if there is no appearance by Mr. Albert and/or no substantive proof of how the Retirement Board has acted on Mr. Albert's case, the Commission will proceed to terminate.

This motion was also unanimously approved.

RESOLUTION NO. 257-81

HEARING OF POLICE OFFICER HERBERT ALBERT, PLANNING AND RESEARCH

WHEREAS, the hearing of Police Officer Herbert Albert, Planning and Research, was called, it having been set for this date; and

WHEREAS, Police Officer Herbert Albert sent a communication to the Police Commission requesting a continuance of this matter as he had applied to the Retirement Board for a buy-out option of his retirement benefits; and



WHEREAS, on a motion by Commissioner Murphy, the Commission voted that there will be no more continuations of this hearing, and that the date for the hearing of the disciplinary charges filed against Police Officer Herbert Albert, be set for May 6, 1981; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Herbert Albert, Planning and Research, is set for Wednesday, May 6, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 258-81

HEARING OF POLICE OFFICER MARTY L. WAY, COMMUNICATIONS DIVISION

WHEREAS, the hearing of Police Officer Marty L. Way, Communications Division, was called, it having been set for this date; and

WHEREAS, Mr. Stephen Bruce Bley, attorney for Police Officer Marty L. Way, has requested that the matter be continued until June 10, 1981; therefore be it

RESOLVED, that the request of Mr. Stephen Bruce Bley, Attorney at Law, for a continuance in this matter, be, and the same is hereby approved and continued to Wednesday, June 10, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 259-81

HEARING OF POLICE OFFICER KEVIN DEMPSEY, COMMUNICATIONS DIVISION

WHEREAS, the hearing of Police Officer Kevin Dempsey, Communications Division, was called,





it having been set for this date; and

WHEREAS, Mr. Stephen Bruce Bley, attorney for Police Officer Kevin Dempsey, has requested that the matter be continued until June 10, 1981; therefore be it

RESOLVED, that the request of Mr. Stephen Bruce Bley, Attorney at Law, for a continuance in this matter, be, and the same is hereby approved and continued to Wednesday, June 10, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 260-81

HEARING OF POLICE OFFICER LEONARD G. JEONG, COMMUNICATIONS DIVISION

WHEREAS, the hearing of Police Officer Leonard G. Jeong, Communications Division, was called, it having been set for this date; and

WHEREAS, Mr. Stephen Bruce Bley, attorney for Police Officer Leonard G. Jeong, has requested that the matter be continued until June 10, 1981; therefore be it

RESOLVED, that the request of Mr. Stephen Bruce Bley, Attorney at Law, for a continuance in this matter, be, and the same is hereby approved and continued to Wednesday, June 10, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

PUBLIC HEARING RELATIVE TO THE NEW RULES AND PROCEDURES FOR PATROL SPECIAL OFFICERS, AND



NEW UNIFORM AND EQUIPMENT SPECIFICATIONS FOR  
PATROL SPECIAL OFFICERS. - CONTINUED FOR TWO  
(2) WEEKS.

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Deputy Chief Shannon said that at this time he would request a 2 weeks continuance in this matter to May 13th, as he has met once with the representatives of the Patrol Special Officers, Mr. Ephraim Margolin. He said they had a few differences in the proposals and they will meet again within a week and a half and, hopefully, by that date they should have a resolution to their problem.

A motion to continue was made by Commissioner Daly and it was unanimously approved.

HEARING OF POLICE OFFICER JOHN T. MURPHY, CRIME  
PREVENTION EDUCATION UNIT

---

The hearing of Police Officer John T. Murphy, Crime Prevention Education Unit, was called, it having been set for this date. Police Officer Murphy was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Failure to carry out his duties as a police officer. (Violation of Section 2.01 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to conduct himself in an officerlike manner. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Visiting a place where a penal statute or ordinance is being violated. (Violation of Section 2.99 of the Rules and Procedures of the San Francisco Police Department.)





SPECIFICATION NO. 4

Failure to obey a lawful order of his superior officer. (Violation of Section 2.45 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 5

Failure to devote his entire time to the efficient performance of police business while on duty. (Violation of Section 2.29 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 6

Failure to truthfully answer questions propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Police Officer John T. Murphy appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Robert A. Martin, Attorney at Law, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

An opening statement was made by Mr. Robert A. Martin, Prosecuting Attorney.

Mr. Stephen Bruce Bley, Defense Attorney, reserved making an opening statement until later.

The following-named witnesses were called by the Prosecution, duty sworn and testified:

Police Officer Robert Brodnik  
Narcotics Detail



Inspector/Sergeant Marvin Dean  
Homicide Detail

Inspector Anthony J. Camilleri  
Narcotics Detail

Assistant Inspector Alex E. Fagan  
Narcotics Detail

Deputy Chief George Eimil  
Investigations

The following Exhibits were entered  
into evidence by the Prosecution:

- Exhibit A - 1. Photograph of man in doorway at 22 Clifford Terrace, San Francisco.
2. Photograph of man in doorway of premises at 22 Clifford Terrace facing another man.
3. Photograph of premises at 22 Clifford Terrace with man descending stairs; also shown is the rear of top half of a vehicle van.
- Exhibit B. - Affidavit for Search Warrant undersigned by Robert J. Brodnik.
- Exhibit C. - Twenty-nine photographs of interior of 22 Clifford Terrace, depicting bedroom kitchen, living room, dining room, and bathroom; also 3'x3' diagram depicting layout of entire apartment.
- Exhibit D. - Distance photograph of Clifford Terrace depicting several homes and autos parked on street.
- Exhibit E. - Letter dated December 21, 1980, from Joseph Nardi and Associates.
- Exhibit F. - Document entitled "Marin County Board of Realtors, Inc.," and other documents with Joseph Nardi's business card attached.

The following-named witnesses were called  
by the Defense, duly sworn and testified:



Mrs. Lucille Ramstetter  
R.A.C.P. Advisory Council

Police Officer John T. Murphy  
Crime Prevention Education Unit

Gwenn Dillsworth Battle  
Crime Prevention Education Unit

Lieutenant Frank Jordan  
Crime Prevention Education Unit

The following Exhibits were entered into  
evidence by the Defense:

Exhibit A. - Document entitled, "San Francisco  
Board of Realtors, July 7, 1980."

Exhibit B. - Container for prescribed medicine.

Closing statements were then made by both  
the Prosecuting and Defense Attorneys.

The Commission took the matter under sub-  
mission, after which the following resolution was  
adopted:

RESOLUTION NO. 261-81

DECISION - HEARING OF POLICE OFFICER JOHN T. MURPHY,  
CRIME PREVENTION EDUCATION UNIT

WHEREAS, on March 20, 1981, Cornelius P.  
Murphy, Chief of Police of the San Francisco Police  
Department, made and served charges against Police  
Officer John T. Murphy, as follows:

SPECIFICATION NO. 1

- a) At all times mentioned herein, Officer  
John T. Murphy was a duly appointed  
and sworn police officer with the San  
Francisco Police Department and assigned  
to the Crime Prevention Education Unit  
of the Community Services Division of the  
San Francisco Police Department;
- b) At all times mentioned herein, Officer  
John T. Murphy was on duty;





- c) As a member of the San Francisco Police Department, Officer Murphy is responsible for, and is aware of the Rules and Procedures of the San Francisco Police Department;
- d) Commencing on or about February 14, 1981, a surveillance was conducted of the premises located at 22 Clifford Terrace, Apt. #6 in the City and County of San Francisco;
- e) On one occasion, Officer Murphy was observed to drive by the aforementioned premises and the occupant to leave the premises and return shortly thereafter;
- f) On three occasions, Officer Murphy was observed to enter the premises and depart within four to sixteen minutes;
- g) On March 13, 1981, Officer Murphy was observed entering the aforementioned premises at 1130 hours;
- h) On March 13, 1981 at 1145 hours, San Francisco Police Department Narcotics officers served a previously obtained search warrant on the aforementioned premises;
- i) Upon service of the search warrant, the occupant of the premises and Officer Murphy, upon his leaving the premises, were detained and/or arrested;
- j) A search of the premises resulted in the confiscation of numerous narcotics and narcotics paraphernalia found in plain view of the living room, bathroom, bedroom and kitchen;
- k) The above conduct in failing to take the necessary law enforcement action while on the premises constitutes a violation of Section 2.01 of the Rules and Procedures of the San Francisco Police Department, which states that:



"2.01 The Police Department and its members shall have the power and it is their duty to:

- .1 Prevent Crime
- .2 Protect Life and Property
- .3 Detect and Arrest Offenders
- .4 Preserve the Public Peace
- .5 Enforce all Penal Laws and Ordinances."

SPECIFICATION NO. 2

- a) Each and every allegation contained in paragraphs (a) through (j) of Specification No. 1 is hereby incorporated by reference as though each were fully set forth herein;
- b) By the aforementioned conduct, discredit was brought upon the San Francisco Police Department and constitutes a violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which states:

2.13 "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department of which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

SPECIFICATION NO. 3

- a) Each and every allegation contained in paragraphs (a) through (j) of Specification No. 1 are hereby incorporated by reference as though each were fully set forth herein;
- b) Prior to his present assignment, Officer Murphy was assigned to, and worked as a member of the Narcotics Section of the San Francisco Police Department for approximately six months and through such assignment is familiar with narcotics and narcotics paraphernalia;



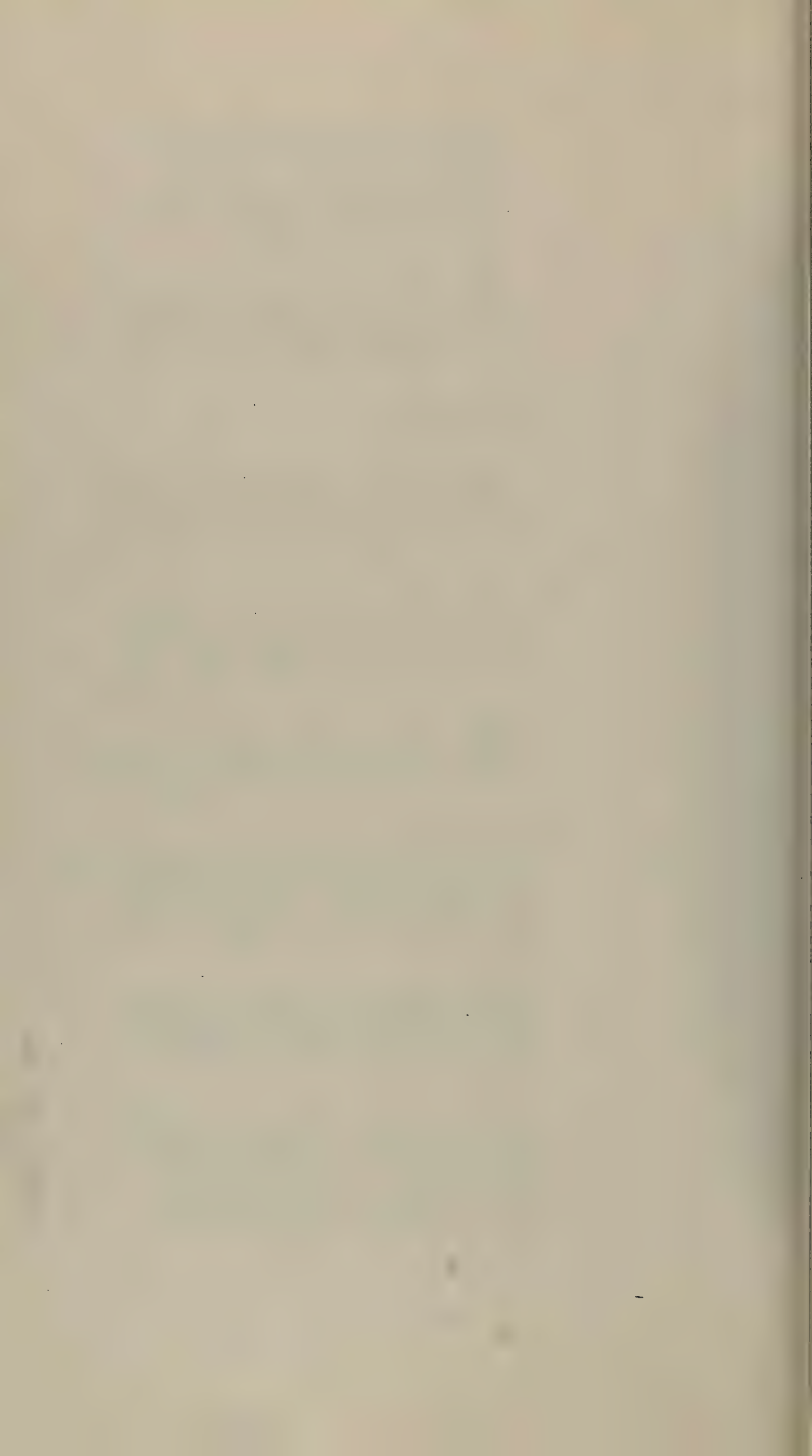


- c) The conduct of Officer Murphy in visiting and being on the aforementioned premises constitutes a violation of Section 2.99 of the Rules and Procedures of the San Francisco Police Department which states that as a member:

2.99 "Shall not, except in the performance of police duty, visit any place wherein he knows or suspects that any penal statute or ordinance is being violated."

SPECIFICATION NO. 4

- a) Each and every allegation contained in paragraphs (a) through (j) of Specification No. 1 are hereby incorporated by reference as though each were fully set forth herein;
- b) Subsequent to his detention on the aforementioned date, time and place, Officer Murphy was requested to voluntarily provide a urine sample for purposes of testing for narcotics use;
- c) This request by Deputy Chief George Eimil to voluntarily provide a urine sample for testing purposes was refused by Officer John T. Murphy;
- d) Deputy Chief George Eimil then verbally informed Officer John T. Murphy of his direct order that Officer John T. Murphy provide a urine sample for testing and Officer Murphy refused to comply with this direct order;
- e) At all times herein mentioned George Eimil was and is a Deputy Chief with the San Francisco Police Department and a superior officer of Officer John T. Murphy;
- f) By his refusal to comply with a direct order from Deputy Chief George Eimil, a superior officer, Officer John T. Murphy was in violation of Section 2.45 of the Rules and Procedures of the San Francisco Police Department which states that a member:



2.45 "Shall strictly obey and promptly execute the lawful orders of his superior officers. In case of conflict of orders from superior officers, he shall respectfully call the attention of the superior officer giving the last order to such conflict; should the latter not change his order it shall be obeyed and the member shall not be held responsible for disobedience of any former order in obeying said last order."

SPECIFICATION NO. 5

- a) . Each and every allegation contained in paragraphs (a) through (j) of Specification No. 1 are hereby incorporated by reference as though each were fully set forth herein;
- b) On the aforementioned dates and times, Officer John T. Murphy was on duty in plain clothes or in uniform and driving a police vehicle;
- c) At the aforementioned times and places, Officer John T. Murphy was not conducting police business while on duty;
- d) By the aforementioned conduct, Officer Murphy was in violation of Section 2.29 of the Rules and Procedures of the San Francisco Police Department, which states that a member:

2.29 "Shall, during his watch or tour of duty, devote his entire time and attention to the efficient performance of police business and shall not engage in any other business or calling."

SPECIFICATION NO. 6

- a) Each and every allegation contained in paragraphs (a) through (j) of Specification No. 1 are hereby incorporated by reference as though fully set forth herein;
- b) During the investigation of the aforementioned incident, an interview of Officer Murphy was conducted by Deputy Chief Eimil;



- c) Officer Murphy was asked questions as to the number of times and his reason for being on the premises of 22 Clifford Terrace;
- d) The answers by Officer Murphy were contrary to other evidence determined to be true during the course of the investigation;
- e) The conduct of Officer John T. Murphy in failing to truthfully answer questions asked of him by Deputy Chief Eimil is a violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department, which states a member:

2.49 "Shall, when called upon by a superior officer, or by one specially assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, April 29, 1981, and that on Wednesday, April 30, 1981, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer John T. Murphy, Crime Prevention Education Unit, as contained in Specification No. 1, violation of Section 2.01, Specification No. 2, violation of Section 2.13, Specification No. 3, violation of Section 2.99, Specification No. 4, violation of Section 2.45, Specification No. 5, violation of Section 2.29, and Specification No. 6, violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department are sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer John T. Murphy, Crime Prevention Education Unit, has violated Specification No. 1, violation of Section 2.01, Specification No. 2,





violation of Section 2.13, Specification No. 3,  
violation of Section 2.99, Specification No. 4,  
violation of Section 2.45, Specification No. 5,  
violation of Section 2.29 and Specification No. 6,  
violation of Section 2.49 of the Rules and Pro-  
cedures of the San Francisco Police Department;  
and for said violations he shall be dismissed from  
the San Francisco Police Department; and be it further

RESOLVED, that said dismissal, effective  
April 30 1981 at 0230 hours, be, and the same is  
hereby affirmed and approved.

Recesses taken in the hearing of  
Police Officer John T. Murphy:

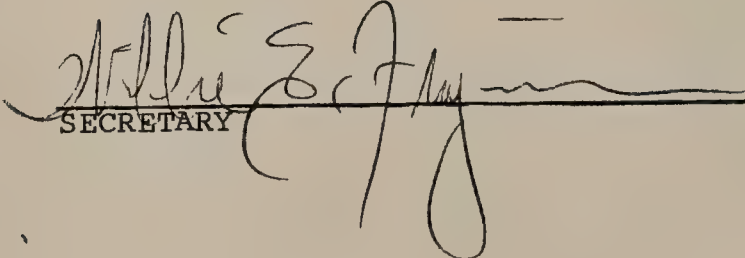
2153 hours to 2205 hours  
2345 hours to 2355 hours  
0141 hours to 0200 hours.

(The entire proceedings were taken  
in shorthand form by Hearing Reporter  
Dorsey McTaggart, C.S.R.)

AYES: Commissioners Daly, Nelder, Murphy,  
Sanchez

ABSENT: Commissioner Toler

The Commission then adjourned its meeting  
at 2:20 a.m.

  
\_\_\_\_\_  
SECRETARY

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